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1917

London,

# IMPERIAL WAR CONFERENCE, 1917.

## EXTRACTS

FROM

## MINUTES OF PROCEEDINGS

AND

## PAPERS LAID BEFORE THE CONFERENCE.

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Presented to both Houses of Parliament by Command of His Majesty.  
May 1917.

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EXTRACTS



1917

MINUTES OF PROCEEDINGS

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PAPERS Laid Before the Conference.

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1917.

Printed in Great Britain.

[1917.]



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## PRELIMINARY NOTE.

Meetings of the Imperial War Conference took place on various dates between 21st March and 27th April 1917, being held, as a rule, on alternate days to those of the meetings of the Imperial War Cabinet.

A great part of the proceedings was of a highly confidential character and entirely unsuitable for publication, at any rate during the War. Other parts, though not so essentially confidential in their nature, were intermingled with matter which, owing to the circumstances of the moment, must for the present be kept confidential.

The procedure adopted in the present volume has been to publish as many of the Resolutions passed by the Conference as possible, but only the discussions and papers on subjects which are not of a confidential character. Omissions are indicated by asterisks.

Colonial Office,  
May 1917.



# I. RESOLUTIONS AGREED TO BY THE CONFERENCE.

The following Resolutions were unanimously agreed to by the Conference :—

## I.

\* \* \* \* \*

## II.

### Uniformity of Equipment.

*(Third Day ; Monday, March 26th.)*

That this Conference, recognising the importance of assimilating as far as possible the military stores and equipment of the Imperial forces throughout the Empire, recommends that an expert Committee representative of the military authorities of the United Kingdom, the Dominions, and India be appointed as early as possible to consider the various patterns in use with a view to selecting standard patterns for general adoption as far as the special circumstances of each country admit.

## III.

### Training of Ordnance Personnel.

*(Third Day ; Monday, March 26th.)*

This Conference is of opinion that it is desirable that the ordnance personnel of the military organisations of the Empire should, as far as possible, be trained on the same methods and according to the same principles, and that to secure this end selected officers of the ordnance service from all parts of the Empire should be attached for adequate periods to the Imperial Ordnance Department.

## IV.

### Naval Defence.

*(Fifth Day ; Friday, March 30th.)*

That the Admiralty be requested to work out immediately after the conclusion of the War what they consider the most effective scheme of Naval Defence for the Empire for the consideration of the several Governments summoned to this Conference, with such recommendations as the Admiralty consider necessary in that respect for the Empire's future security.

## V.

### Trade Commissioner Service.

*(Seventh Day ; Wednesday, April 4th. See p. 20.)*

That the Imperial War Conference welcomes the proposed increase of the Board of Trade service of Trade Commissioners and its extension throughout the British Empire in accordance with the recommendations of the Dominions Royal Commission, and recommends that the Governments concerned should co-operate so as to make that service as useful as possible to the Empire as a whole, especially for the promotion of Inter-Imperial Trade.

## VI.

### Patents.

*(Seventh Day ; Wednesday, April 4th.)*

The Imperial War Conference commends the proposals of the Board of Trade in the Memorandum on Patents and Trade Marks to the careful consideration of the several constituent Governments of the Empire.

## VII.

### Representation of India at future Imperial Conferences.

*(Eighth Day ; Friday, April 13th. See p. 22.)*

That the Imperial War Conference desires to place on record its view that the Resolution of the Imperial Conference of 20th April 1907 should be modified to permit of India being fully represented at all future Imperial Conferences, and that the necessary steps should be taken to secure the assent of the various Governments in order that the next Imperial Conference may be summoned and constituted accordingly.



## VIII.

**Care of Soldiers' Graves.***(Eighth Day ; Friday, April 13th. See p. 35.)*

The Conference, having considered the Minute addressed to the Prime Minister on the 15th March 1917 by His Royal Highness the Prince of Wales, concurs in the proposals made therein, and humbly prays His Majesty to constitute by Royal Charter an Imperial War Graves Commission for the purposes stated by His Royal Highness, and along the lines therein set forth as embodied in the draft charter submitted to the Conference. The Conference places on record its very deep appreciation of the generous action of the French Government in allotting in perpetuity the land in that country where our men are buried, and urges that similar arrangements should be made, if possible, in the terms of peace with all Governments—Ally, Enemy, or Neutral—for a similar concession in Gallipoli, Mesopotamia, Africa, and all other theatres of war. The Conference desires to record its grateful appreciation of the work already done by the Prince of Wales and his Committee in caring for the graves of those who have fallen in the common cause of the Empire, and its satisfaction that His Royal Highness has consented to become the President of the permanent Commission.

## IX.

**Constitution of the Empire.***(Ninth Day ; Monday, April 16th. See p. 60.)*

The Imperial War Conference are of opinion that the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the War, and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities.

They deem it their duty, however, to place on record their view that any such readjustment, while thoroughly preserving all existing powers of self-government and complete control of domestic affairs, should be based upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and of India as an important portion of the same, should recognise the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations, and should provide effective arrangements for continuous consultation in all important matters of common Imperial concern, and for such necessary concerted action, founded on consultation, as the several Governments may determine.

## X.

**Naturalization.***(Tenth Day ; Wednesday, April 18th. See p. 70.)*

The Conference recognises the desirability and importance of securing uniformity of policy and action throughout the Empire with regard to naturalization, and it is resolved that the proposals set forth in the Memorandum submitted by the Home Office be commended to the consideration of the respective Governments summoned to the Conference.

## XI.

**Earl Grey's Scheme for a Dominion House in Aldwych.***(Tenth Day ; Wednesday, April 18th. See p. 84.)*

The Conference, in expressing to Earl Grey its deep appreciation and warm thanks for the great interest that he has taken in the proposal to secure the Aldwych site, and to erect thereon a building suitable for the purposes of the Dominions, considers that it is not practicable to proceed with the proposal under existing conditions or in the immediate future.

## XII.

**Care of Soldiers' Graves.***(Eleventh Day ; Monday, April 23rd. See p. 92.)*

That the Imperial War Graves Commission be requested as soon as possible after their appointment and organization to prepare an estimate of the probable cost of carrying on the work entrusted to them and to submit the same to the Governments of the United Kingdom and Oversea Dominions with their recommendation as to the proportion that should be borne by each.



**XIII.****Imperial Mineral Resources Bureau.***(Eleventh Day ; Monday, April 23rd.)*

That it is desirable to establish in London an Imperial Mineral Resources Bureau, upon which should be represented Great Britain, the Dominions, India, and other parts of the Empire.

The Bureau should be charged with the duties of collection of information from the appropriate Departments of the Governments concerned and other sources regarding the mineral resources and the metal requirements of the Empire, and of advising from time to time what action, if any, may appear desirable to enable such resources to be developed and made available to meet the metal requirements of the Empire.

That the Conference recommends that His Majesty's Government should, while having due regard to existing institutions, take immediate action for the purpose of establishing such a Bureau, and should as soon as possible submit a scheme for the consideration of the other Governments summoned to the Conference.

**XIV.****Production of Naval and Military Material, Munitions, and Supplies.***(Twelfth Day ; Tuesday, April 24th.)*

That this Conference, in view of the experience of the present War, calls attention to the importance of developing an adequate capacity of production of naval and military material, munitions, and supplies in all important parts of the Empire (including the countries bordering on the Pacific and Indian Oceans) where such facilities do not presently exist and affirms the importance of close co-operation between India, the Dominions, and the United Kingdom with this object in view.

**XV.****Double Income Tax.***(Thirteenth Day ; Wednesday, April 25th. See p. 109.)*

The present system of Double Income Taxation within the Empire calls for review in relation—

- (i) to firms in the United Kingdom doing business with the Oversea Dominions, India, and the Colonies ;
- (ii) to private individuals resident in the United Kingdom who have capital invested elsewhere in the Empire, or who depend upon remittances from elsewhere within the Empire ; and
- (iii) to its influence on the investment of capital in the United Kingdom, the Dominions and India, and to the effect of any change on the position of British capital invested abroad.

The Conference, therefore, urges that this matter should be taken in hand immediately after the conclusion of the War, and that an amendment of the law should be made which will remedy the present unsatisfactory position.

**XVI.****Development and Control of Natural Resources.***(Thirteenth Day ; Wednesday, April 25th. See p. 111.)*

Having regard to the experience obtained in the present War, this Conference records its opinion that the safety of the Empire and the necessary development of its component parts, require prompt and attentive consideration, as well as concerted action, with regard to the following matters :—

- (1) The production of an adequate food supply and arrangements for its transportation when and where required, under any conditions that may reasonably be anticipated.
- (2) The control of natural resources available within the Empire, especially those that are of an essential character for necessary national purposes, whether in peace or in war.
- (3) The economical utilization of such natural resources through processes of manufacture carried on within the Empire.

The Conference commends to the consideration of the Governments summoned thereto the enactment of such legislation as may assist this purpose.



**XVII.****Control of Imports after the War from present Enemy Countries.***(Thirteenth Day ; Wednesday, April 25th. See p. 112.)*

The Imperial War Conference consider it desirable, with a view to prevent dumping or any other mode of unfair competition from present enemy countries during the transition period after the War, that the several Governments of the Empire, while reserving to themselves freedom of action in any particular respect, take power to control the importation of goods originating in such countries into the Empire for a period of twelve months after the War.

**XVIII.**

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**XIX.**

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**XX.**

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**XXI.****Imperial Preference.***(Fourteenth Day ; Thursday, April 26th. See p. 114.)*

The time has arrived when all possible encouragement should be given to the development of Imperial resources, and especially to making the Empire independent of other countries in respect of food supplies, raw materials, and essential industries. With these objects in view this Conference expresses itself in favour of : —

- (1) The principle that each part of the Empire, having due regard to the interests of our Allies, shall give specially favourable treatment and facilities to the produce and manufactures of other parts of the Empire.
- (2) Arrangements by which intending emigrants from the United Kingdom may be induced to settle in countries under the British flag.

**XXII.****Reciprocity of Treatment between India and the Self-governing Dominions.***(Fifteenth Day ; Friday, April 27th. See p. 120.)*

That the Imperial War Conference, having examined the Memorandum on the position of Indians in the Self-governing Dominions presented by the Indian representatives to the Conference, accepts the principle of reciprocity of treatment between India and the Dominions and recommends the Memorandum to the favourable consideration of the Governments concerned.

**XXIII.****Address to His Majesty the King.***(Fifteenth Day ; Friday, April 27th. See p. 120.)*

That His Majesty the King be asked to receive the Members of the Imperial War Conference now in Session, who desire to present a humble address to His Majesty.

**XXIV.****Temptations of Oversea Soldiers.***(Fifteenth Day ; Friday, April 27th.)*

That the attention of the authorities concerned be called to the temptations to which our soldiers when on leave are subjected, and that such authorities be empowered by legislation or otherwise (1) to protect our men by having the streets, the neighbourhood of camps, and other places of public resort, kept clear, so far as practicable, of women of the prostitute class, and (2) to take any other steps that may be necessary to remedy the serious evil that exists.

**XXV.****Concluding Resolution.***(Fifteenth Day ; Friday, April 27th. See p. 124.)*

The Members of the Conference representing India and the Oversea Dominions desire before they separate to convey to the Secretary of State for the Colonies their earnest and sincere appreciation of his labours in preparing for, and presiding over, the Conference.

They desire also to put on record their deep sense of gratitude for the many courtesies which they have received from the Prime Minister and the other members of His Majesty's Government, as well as for the generous hospitality which has been extended to them by the Government and people of the United Kingdom.



## II. EXTRACTS FROM MINUTES OF PROCEEDINGS.

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### FIRST DAY.

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Wednesday, 21st March 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11.30 A.M.

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#### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General The Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, M.P., Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness the MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

#### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet; and

Private Secretaries.

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21 March 1917.]

OPENING ADDRESS AND REPLIES.

[1st Day.

**Opening Address and Replies.**

Mr. LONG observed that it was his privilege as Secretary of State for the Colonies to offer a very warm and cordial welcome to the representatives of the Dominions and India. He greatly regretted, as all did, the absence of Australia; a very serious blow to their work. It was due entirely to difficulties which had compelled Mr. Hughes to have a General Election, which, of course, prevented him from coming. He desired, especially, to welcome the representatives of India, who, by their presence at this Imperial Conference, gave it a character which it had never possessed before, and it was, he thought, a happy augury that the Secretary of State for India should be a son of the great Imperial statesman who so well and truly laid the foundations of the Imperial Conference.

Yesterday had been held the first meeting of the first Imperial Cabinet which has ever assembled in the Empire. To-day they met at what was the corollary of the Imperial Cabinet, namely the Imperial Conference. They were engaged in a War the greatest and the most terrible in history, and their object both in the Cabinet and in the Conference was to deal with the immediate war problems, with those which will arise on the conclusion of peace, and with any other questions which it may seem desirable to discuss or decide, as being of Imperial interest, without delay.

The War had entailed great sacrifices, and laid upon us a vast common burden. These had been borne cheerfully, first because we realise that sacrifice is essential if we are successfully to champion our great cause, and secondly because our peoples realise that only out of the community of sacrifice and suffering can come the great lessons which will teach us how to bring about that re-birth of Empire which must be the result of the great struggle.

He then referred to the subjects to be discussed in the Conference. An advance programme had already been circulated comprising subjects of which notice had already been given, or which it was thought probable here that there would be a desire to discuss. No doubt other subjects would be added, and it was for the Conference to decide what questions should be discussed, and in what order. Some problems appeared too great for decision when we were at war, and when it was impossible for the Prime Minister and many of his colleagues to attend regularly at the Conference, but he hoped that, even if decision was impossible, the Conference would not consider itself debarred from very full discussion. They had a great opportunity, one which might not soon recur. He was satisfied that Germany was making most complete preparations for competition when the War is over. In the field of battle we had been found unprepared, but he hoped that we should not again be caught unprepared for those peaceful conflicts in which we should certainly be engaged so soon as the War is over, and in which we ought to be prepared to do something more than hold our own. And therefore he repeated that discussion round the table must be helpful.

The Conference, he suggested, should be governed by the general rules which governed the last Imperial Conference. He should ask the Conference to decide as to the attendance of the Press and as to the record to be kept of its proceedings. He thought it probable that the greater part of the work would refer to matters of such a confidential character in connection with the War that it will be impossible to make the proceedings public, or even to refer to the actual subjects. But he suggested that the rules as to voting by States should be maintained; that all members of the Conference should be permitted to speak in the discussions; that the rule as to the Press should be maintained; and that the Conference should have in attendance a shorthand writer to take a complete record, and he was prepared, if the Conference approved, to supervise the issue to the Press of a short summary of proceedings on each day of meeting.

In conclusion he repeated his cordial welcome, and expressed his great pride at presiding over an Imperial Conference which comprised representatives of all the Dominions—save Australia—and the Indian Empire, and he hoped that the proceedings would be harmoniously conducted, as he was sure they would, and be of real use to the Empire at large.

Sir R. BORDEN, replying, thanked Mr. Long for his welcome, and concurred in his expression of regret with regard to the absence of Australian representatives,



Sir R. BORDEN—*cont.*

and of gratification at the presence of representatives from India. Referring to Mr. Long's remarks about the sacrifices made by the Empire in the War, he spoke of Canada's determination to carry on the struggle. He said that he agreed generally in Mr. Long's proposals with regard to procedure, but he presumed a Committee would be appointed to prepare the agenda.

Mr. MASSEY, after thanking Mr. Long for his welcome, similarly expressed regret at the absence of Australian, and gratification at the presence of Indian, representatives. He proceeded to refer to post-war trade as a question of pressing importance, and to the emigration of the population of the United Kingdom to other parts of the world. He hoped, he said, that inducements would be offered to keep them under the Flag. He also referred to the question of Double Income Tax, and hoped that it would come before the Conference.

General SMUTS, after thanking Mr. Long for his welcome, said that he was sorry that no representatives from Australia were able to attend, and, in expressing his pleasure at seeing the Indian representatives present, observed that, in his opinion, only good could come from the inclusion of India in this Conference. Matters outside the War should not, he said, be settled at this Conference; for instance, the question of constitution of the Empire and economic policy in the future. Though these questions might be discussed, no decision should be come to, though this reservation was not necessary as regards merely transitional measures. This was General Botha's view, and we should, he insisted, turn our attention to matters which would help us to end the War.

Sir E. MORRIS, after thanking Mr. Long, agreed with General Smuts that many questions cannot now be settled, but suggested that the Conference should be placed in touch with industrial bodies, such as Chambers of Commerce, in order to study the development of the products of the Empire. He referred in this connection to the great amount of asbestos which went to Germany from Canada before the War, and of iron ore from Newfoundland.

Mr. A. CHAMBERLAIN thanked Mr. Long and the other speakers for the cordial welcome they had extended to the representatives of India, observing that for the first time the Government of India enjoyed a full representation, and he hoped to see a precedent established for future co-operation. No better step could, he said, have been taken than to call India to these councils. After referring to the progress made by India in recent years, he suggested that questions concerning India's relations with the Empire and affecting vitally her relations with the Dominions and the Empire generally, should come up for discussion, though not necessarily for any decision. Discussion should, he said, enable them to understand each other better. India had some claim to greater recognition than she has had—she had bled herself white at the beginning of the War to supply the deficiencies of the Empire in troops, arms, and guns.

India, he observed, was interested in the questions of Double Income Tax and Commercial Development. He also suggested that it might be useful to send Commercial Commissioners from the Dominions to India. He asked that the position of citizens of India in the Empire should be discussed. He was, he said, aware of the difficulties, but India would not be unreasonable. Only good could come of the Dominions speaking freely on their side and hearing India put her case.

Sir JOSEPH WARD said he regarded the Conference as next in importance from the point of view of the future of the Empire to the immediate work of the proper conduct of the War. While agreeing that General Botha's view should be fully respected, he was of opinion, with all deference to General Smuts, that it should not prevent the discussion now of matters affecting the Empire as a whole after the War. If, he said, we begin twelve months after the War to consider these questions we shall begin twelve months too late. New Zealand looked forward to getting a lead from the Conference, *e.g.*, he hoped to see proposals to circumvent the enemy's insidious attacks in various directions, and among them those concerning vital trade interests of the Empire. If these questions are not to be discussed now, when, he asked, is the next Conference to be? He asked if the naval defence of the Empire could be considered, even if



21 March 1917.]

ORDER OF BUSINESS.

[1st Day.

Sir JOSEPH WARD—*cont.*

it was not possible to give practical effect to any suggestions or schemes. In this connection he referred to our dependence on the help of a friendly nation for sea protection in the Pacific. If that country's battleships were at any moment required for her own defence, we would, so far as the Pacific is concerned, be almost unrepresented by necessary fighting ships. He also referred to the advantage of having Indian representation at the Conference, and most warmly welcomed the change. India had done great work for the whole Empire during the War, and her representation at the Conference had been well and worthily won. It augured well for the future of the Empire's wide-spread interests.

He held that there should be a discussion concerning the value of the Pacific to the Empire as a whole, and of the great interests concerned; we should, he said, look to the future, and not confine discussion merely to the territorial question.

He asked whether subventions to British mail steamers and cargo steamers would be discussed. In his view New Zealand ought to be brought within twenty-one days of London. It could be done. British shipping should be fostered, and it was necessary to consider the bearing on the future of the Pacific of the development that had taken place by the opening of the Panama route.

It would also be necessary to pass a Resolution on the Naturalisation of Aliens after the War. Action in all parts of the Empire should be uniform, and there should be restrictions against people from enemy countries. Referring to the absence of Australian representation, he said that the want of unanimity might vitiate the results of the Conference. He asked whether resolutions passed at the Conference were to be sent out by cable to the Commonwealth—this, he thought, should be done—and if the Commonwealth were to be asked whether they agreed or not.

#### Order of Business.

Mr. LONG then suggested that the procedure of the Conference should be determined, and the hours of meeting, and he asked how the agenda was to be settled. The Conference should also decide their policy with regard to the Press. One suggestion was that the Press should be excluded, but shorthand writers should attend to take notes.

Mr. CHAMBERLAIN said that he thought that nothing should be given to the Press beyond a statement that the Conference had met.

Sir R. BORDEN agreed, more especially in view of the proposal to cable to the Commonwealth.

It was decided that—

- (1) Each Government should have one vote, but that every representative should have the right to speak.
- (2) The Chairman should issue to the Press reports of the meetings of the Conference, but should give no details of the business done.
- (3) The times of meeting should be Monday, Wednesday, and Saturday,\* at 11 a.m.
- (4) A Sub-Committee consisting of Sir R. Borden, Mr. Massey, General Smuts, and Sir J. Meston, with the Chairman, should determine the order of business.

With regard to the question of communicating the proceedings of the Conference to Australia, Mr. Long said that he was willing to cable confidentially to the Governor-General of the Commonwealth that a particular subject would be under consideration, and to ask whether the Commonwealth wished to make any communication. A decision on this was deferred.†

Adjourned to Saturday, March 24th.

\* NOTE.—This date was, at a subsequent meeting, altered to Friday.

† NOTE.—After further discussion at the Conference, Mr. Long sent the following telegram to the Governor-General of the Commonwealth:—

"30th March. I am arranging to telegraph to you, for the information of your Prime Minister, Resolutions passed by Imperial War Conference. Conference, while desiring to keep your Prime Minister informed of the progress of the work, is of the opinion that all the Resolutions should be kept confidential until the date decided on for common publication."



## SECOND DAY.

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Saturday, 24th March 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11 A.M.

---

### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable the EARL of DERBY, K.G., G.C.V.O., Secretary of State for War.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, M.P., Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness the MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

Sir R. H. BRADE, K.C.B., Secretary of the War Office.

Major-General Sir JOHN STEEVENS, K.C.B., K.C.M.G., Director of Equipment and Ordnance Stores.

Major-General Sir W. H. BIRKBECK, K.C.B., C.M.G., Director of Remounts.

Brigadier-General E. H. SEYMOUR, C.B., Deputy Director of Equipment and Ordnance Stores.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet ; and

Private Secretaries.

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24 March 1917.]

LOYAL RESOLUTION.

[2nd Day.

**Loyal Resolution.**

CHAIRMAN: At the first meeting of the last Conference the proceedings were commenced by passing the following resolution: "The Imperial Conference at their first meeting as their first act desire to present their humble duty to Your Majesty, and to assure you of the devoted loyalty of all portions of Your Majesty's Empire here represented." I do not know whether it would be the pleasure of the Conference to pass a similar resolution to-day. I do not think you could improve upon the terms of it.

Sir ROBERT BORDEN: I think it very appropriate indeed to send such a message and we could not improve upon it. I shall be very happy indeed to propose it.

Mr. MASSEY: If necessary, I will second.

CHAIRMAN: May I take it then that the Imperial War Conference passes that resolution, which, in that case, I will submit to His Majesty. (*Agreed.*)

**Agenda.**

CHAIRMAN: Then there is a report laid before the Conference of the Sub-Committee appointed at our preliminary meeting to draw up Agenda. Is it your pleasure to adopt it, or does anybody desire to call attention to anything in it?

Mr. MASSEY: I understand this is not final—it may be altered.

CHAIRMAN: It may be altered; it really only suggests the business for the first three days, and must then, of course, be subject to revision if anything occurs. Is it your pleasure to adopt it or does anyone desire to make any comment? We may take it that it is adopted then. Are you prepared to approve it?

Sir ROBERT BORDEN: On the understanding that any additional subjects may be suggested later on. It is provisional only.

CHAIRMAN: It is only provisional in order that we may know how to make proper arrangements a day or two in advance.

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## SEVENTH DAY.

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Wednesday, 4th April 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11 A.M.

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### PRESENT:

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable Sir ALBERT H. STANLEY, M.P., President of the Board of Trade.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness the MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT:

Sir G. V. FIDDES, G.C.M.G., C.B., Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

Sir H. LLEWELLYN SMITH, K.C.B., Permanent Secretary, Board of Trade.

The Right Honourable Sir MAURICE DE BUNSEN, G.C.M.G., G.C.V.O., C.B., Acting Assistant Under Secretary of State for Foreign Affairs.

Mr. H. FOUNTAIN, C.B., C.M.G., Assistant Secretary, Commercial Department, Board of Trade.

Mr. W. TEMPLE FRANKS, C.B., Comptroller-General of Patents, Board of Trade.

Sir W. H. CLARK, K.C.S.I., C.M.G., Comptroller-General of the Commercial Intelligence Department, Board of Trade.

Mr. PERCY ASHLEY, Board of Trade.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet;  
and

Private Secretaries.

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April 1917.]

REPLY TO LOYAL RESOLUTION.

[7th Day.

**Reply to Loyal Resolution.**

CHAIRMAN: Gentlemen, I have a message from the King:—

“The King thanks the Imperial War Conference for their assurance of the devoted loyalty of all parts of His Empire expressed through the representatives assembled at the Conference, and is glad to note that India is represented for the first time at the Council board. His Majesty is well aware of the feelings of affection and loyalty felt by His subjects in all parts of the Dominions to His Throne and Person, and He has received this resolution with particular pleasure as being the first act of the Imperial War Conference. The King is keenly interested in their deliberations, which He trusts may lead to the closer knitting together of all parts of His Empire in their united efforts to bring the present war to a victorious conclusion.”

Mr. MASSEY: Will that be recorded, Mr. Long?

CHAIRMAN: Yes.

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**Representation of India at Future Imperial Conferences.**

Sir JOSEPH WARD: May I suggest that it will become necessary before we conclude to rescind the Resolution of the Imperial Conference itself bearing upon the admission of the Indian representatives, because to-day we have the Indian representatives here, and they are here because this Conference is called, not under the name of The Imperial Conference, but under another name so as to admit of the representatives of India attending. Now, if some of the important subjects which affect India are to come up at an ordinary Imperial Conference, the present is a Conference which should clear the road so as to enable those representatives to be summoned as members of the Imperial Conference, or otherwise an ordinary Imperial Conference is faced with the difficulty that there is on record now a Resolution bearing upon that matter which would prevent India being summoned to an Imperial Conference.

Mr. MASSEY: It seems to me on that very point that if any change is made it must be made by the Imperial Conference itself. This is not the Imperial Conference in the ordinary sense of the word, as Sir Joseph Ward pointed out, but this is an Imperial War Conference and I do not think it has a right to interfere with the proceedings of the other Conference.

Sir JOSEPH WARD: That is so, but could there not be an understanding arrived at with a view to this position, otherwise the next Imperial Conference would be faced with an initial difficulty that they cannot overcome. There ought to be an expression of opinion at the first meeting of the Imperial Conference that that Resolution to which I have referred should be rescinded so that the Indian representatives could be invited to the Imperial Conference. That would be necessary, would it not?

CHAIRMAN: Yes, I think it would be necessary. I take it it would not be possible for us to take absolute governing action, but we could obviously pass a resolution indicating that in our view it is desirable that that resolution should be rescinded and that formal steps should be taken for the admission of India.

Sir JOSEPH WARD: Quite so.

General SMUTS: If the constituent Governments were approached there would be no difficulty about it.

CHAIRMAN: None whatever.

Mr. CHAMBERLAIN: If I may say so, any expression of opinion from this Conference would carry great weight with the constituent Governments; and I may add that it would be extremely gratifying for India if, having seen her representatives, this Conference was willing to make a recommendation of that kind and place



7th Day.]

REPRESENTATION OF INDIA AT FUTURE IMPERIAL [4 April 1917.  
CONFERENCES.

Mr. CHAMBERLAIN—*cont.*

it on record. There is no doubt Indian sentiment has greatly appreciated the admission of India to this Conference, and it would be profoundly disappointing if this Conference broke up without any indication at all that India might expect to be summoned to later Imperial Conferences.

Mr. MASSEY: There is no doubt about the willingness of the Conference—none whatever.

CHAIRMAN: Perhaps we might have a Resolution drawn and bring it up at a subsequent meeting.

Sir JOSEPH WARD: Yes, I think that would be an excellent arrangement.

CHAIRMAN: Very well, I will do so.

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**Trade Commissioner Service.**

Sir ALBERT STANLEY: You will observe from the Memorandum\* that we call to the attention of the Conference the suggestions made by Sir Joseph Ward at the Conference which met in 1907, at which he suggested that there was lacking any official commercial representatives of the United Kingdom in the different Self-Governing Dominions. Acting upon that suggestion steps were taken to appoint Trade Commissioners and they have been established in the Self-Governing Dominions. The scheme was started in a small way, but the result of establishing those Commissioners has clearly justified Sir Joseph Ward's suggestion. There is no doubt that the anticipation of substantial improvement of the trade of the United Kingdom and of the Dominions has been amply justified, and we have recently taken steps to add to these facilities the appointment of Trade Commissioners in other parts of the Empire, so that when that scheme is completed practically the whole of the Empire will be covered by a system of Trade Commissioners. Now those Trade Commissioners are established primarily with the object of securing for the benefit of the traders in this country information with respect to the trade within the Oversea Dominions. When I say that "primarily" their functions are limited as I have described them, I mean that if any information is asked for by traders elsewhere in the Empire it is given by them. We raise for discussion at this Conference the suggestion that perhaps these Commissioners might be used in a much broader sense. It is, I think, a matter worthy of discussion whether they could not take up much broader duties than those I have described so that their functions would not be limited as between the United Kingdom and the Dominions where they happened to be, but that their scope would practically cover the whole of the Empire.

Mr. MASSEY: What do you mean by broader duties?

Sir ALBERT STANLEY: I mean as between the Dominions themselves as well as between that particular part in which they happen to be and the United Kingdom itself.

Mr. MASSEY: Take a British trade representative in New Zealand: do you suggest that he should act for the New Zealand Government as between New Zealand and Australia, putting that by way of illustration?

Sir ALBERT STANLEY: Not necessarily.

Mr. MASSEY: Then what is intended?

Sir ALBERT STANLEY: Perhaps I may read this memorandum and then it will raise discussion on certain definite points; that will be the better way.

"The following are the proposed instructions to the Commissioners:—

- (1) To reply to commercial inquiries which may be addressed to them by traders or Government departments in the Dominion represented, and to suggest suitable local agents for manufacturers or producers of that Dominion.

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\* See Memorandum printed on pages 131-132.



4 April 1917.]

TRADE COMMISSIONER SERVICE.

[7th Day.

Sir ALBERT STANLEY—*cont.*

- (2) To notify the Dominion Government of changes in the Customs tariffs or other regulations affecting its trade.
- (3) To report any openings for trade, or contracts open to tender, which might interest producers or manufacturers in the Dominion represented.
- (4) To maintain an exhibition of the produce and manufactures of the Dominion (if this is desired).
- (5) To circulate and distribute in the districts where they are stationed official literature relating to the trade, agriculture, and manufacture of the Dominion represented; and
- (6) Generally to watch over the trade interests of the Dominion in the country in question.

The Dominion represented should supply the Trade Commissioners with the information (Blue books, agricultural reports, trade newspapers, lists of exporters, directories, &c.), necessary to enable them to carry out their functions."

Mr. ROGERS: Does that proposal just mean that there is to be a representative for each Oversea Dominion, or do you propose to widen the scope?

Sir ROBERT BORDEN: There are a certain number in Canada and in Australia, and it is proposed, as I understand it, to increase their number and also to widen their scope.

Mr. MASSEY: I think the Dominions have representatives in Europe. Using New Zealand as an illustration, we have our representatives in Australia, and I am afraid that this suggestion may have the effect of overlapping their duties and causing a certain amount of friction unless we withdraw our men, but I do not think that will do at all, because nobody can represent a Dominion like a man who has been accustomed to its business and who has grown up in it.

Sir ROBERT BORDEN: As far as we are concerned the situation is very much the same. We have a Trade Commissioner in Australia. I am not sure that we have one in New Zealand.

Mr. MASSEY: You have a representative.

Sir ROBERT BORDEN: I know that we have in South Africa and elsewhere throughout the world commercial agents called Trade Commissioners.

Mr. HAZEN: We have them in different parts of the United Kingdom too.

Sir ROBERT BORDEN: Yes, we have Trade Commissioners in the United Kingdom as well. As far as the latter part of the Memorandum is concerned, of course each Dominion would be perfectly willing to supply the British Trade Commissioners with all information of every kind which might be useful to them—there is no question about that.

Mr. MASSEY: Certainly.

Sir ROBERT BORDEN: It does seem to me that the other suggestions perhaps might require a little thought and consideration before one could undertake to say that they could be effectively acted upon. I have only just seen the proposal to-day, so I would not venture to express an opinion upon it. The idea of each Dominion would be to co-operate with those Trade Commissioners in every possible way and to utilize their services wherever that utilisation would not involve confusion or friction between these Commissioners and those already appointed by and acting for the Dominions in various parts of the world.

Sir ALBERT STANLEY: We do not propose to interfere with them in any way whatever.

Sir H. LLEWELLYN SMITH: Wherever a Dominion has its representatives it will naturally use them, but there may be some parts of the Empire where a particular Dominion does not happen to be represented, and all we suggest is that His Majesty's Trade Commissioners in those cases should be at the disposal of the Dominions who do not happen to have their own representatives. I would not put it higher than that.



7th Day.]

TRADE COMMISSIONER SERVICE.

[4 April 1917.]

Sir ROBERT BORDEN: I think the offer in that sense would be very much appreciated. We desire to co-ordinate effort as far as possible for the common good.

Sir H. LLEWELLYN SMITH: That is so.

Sir JOSEPH WARD: I would like to say that I am in full sympathy with the proposal of the Board of Trade upon this matter, because in my opinion it is absolutely essential, if we are to meet the changed conditions which will exist after this War, that there should be wide facilities to the producers and the merchants in all parts of the Empire to have the full benefit of a recognised official constitution in the shape of commercial representatives.

The United States of America have brought this class of work up to a science. They are ahead, in my opinion, of any country in the world, and if we want after this War to be in a position to protect our Trade interests, it seems to me (judging by the excellent work that has followed the appointment of the existing Trade Commissioners) that we should have a systematised chain of trade representatives right over the Empire, as this proposal practically indicates, if we are to get the full benefit of the trade which we shall have to fight for when hostilities are concluded. We cannot discuss any possible course which may be taken after a conference with the War Cabinet upon these important trade matters which have been referred to them in the meantime, and it is impossible to tell what the necessities of some of the Allied countries and some of the Neutral countries will be in order to make up for the devastating processes which have gone on during this War. But it is self-evident that they will require to look for extended markets as well as to various parts of the British Empire. There is no doubt that two of our Friendly Allies, the United States of America and Japan, are leaving nothing undone at present to plant themselves in countries where prior to the War this country had a stronger footing than they. I am referring particularly to Australia and New Zealand, where they have been intensely active since this War started, and rightly so, in my opinion, in making an inroad where Germany before had a very large hold in connection with certain trade.

British Trade Commissioners will not, in my opinion, conflict with the local trade representatives of the various Dominions. I do not think in our country we would under any conditions withdraw our representatives because there was a British trade representative in the same place. The work of our representatives is in some respects of a very different nature. Amongst other things our representatives advise people from different parts of the world who land in Australia, for instance, who have not made up their minds where to locate themselves, and give them information for the purpose of settlement. They also help our people with regard to trade inquiries of a local nature. From the point of view of protecting the traders and helping them to get fresh business there is nothing more reliable than an official trade representative from this country appointed by and under the management of the Board of Trade. I look upon it, from the point of view of helping the future trade of the Empire, as being of very great importance. I do not believe there will be any clashing between the Board of Trade representatives and our respective representatives whom we now have in different parts. I am in full sympathy with the proposal of the Board of Trade, but the details are a matter for consideration for those primarily responsible for submitting them, and so long as they do not clash with us--and I do not think they will--they commend themselves to me.

General SMUTS: I agree with what has fallen from Sir Joseph Ward, and I rather deprecate the chilly reception which has been given to this proposal, which I think is an eminently useful proposal, and one which is in the interest of the Dominions. I see from the Memorandum which has been put before us that it is intended by the Imperial Government, by the Board of Trade, to extend the number of Trade Commissioners over the various parts of the Empire, and if their functions could be extended now as proposed, so that their services would be available where necessary and where required, to the Dominion Governments and to traders, I think it would be a very good thing. I do not think there need be any overlapping with the duties of the similar representatives of each Dominion in Europe. Of course, where there are such representatives it would not be necessary for the Dominions concerned to avail themselves of the services of the Imperial Trade Commissioners.



4 April 1917.]

TRADE COMMISSIONER SERVICE.

[7th Day.

Sir JOSEPH WARD: Quite so.

General SMUTS: But in many cases there will not be representatives of a Dominion Government, and I think in such cases a great deal of expense would be saved to the Dominions and a great deal of co-ordinating work would be done by them.

I heartily welcome this proposal, and, if necessary, I would be prepared to move a Resolution to that effect.

Sir ALBERT STANLEY: I wish to make it quite clear that we have not in contemplation impinging upon or interfering in any way with any of the local representatives. We feel that as time goes on the information which these Trade Commissioners will have at their disposal must grow and become of very great importance indeed, and it occurred to us that this information might be used to greater advantage than it has been up to the present time, and therefore if it were the wish of the Oversea Dominions to utilise the services of those Trade Commissioners more than they have done at the present time, we shall be happy to co-operate with them so that they could secure those services.

Sir JAMES MESTON: As far as India is concerned, India would very gladly welcome these proposals, and gladly co-operate in any necessary way in order to carry them out. The great difficulty with us hitherto has been to get into touch, apart from the textile industries, with our consumers outside India, and we have had to start small local emporia, and things of that sort, which have not worked successfully. So what is now proposed would be of the greatest possible assistance to us. It is possible, as time goes on, that two Trade Commissioners would not be enough, but we would be very glad to have them as a beginning.

Sir ROBERT BORDEN: As far as Canada is concerned I did not intend to give this proposal the chilly reception to which General Smuts alluded. I stated that it would be the policy of our Government to co-operate in the fullest way with these Commissioners, but that where we had Commissioners of our own we should have to be careful that no friction arose with respect to the functions of those Commissioners on the one hand and our Commissioners on the other hand. I think all will recognise that as an important consideration. Subject to that we should be glad, as I said before, to co-operate to the fullest possible extent with the British Government in the work of these Commissioners, and to assist them in every possible way.

Mr. MASSEY: As far as I am concerned I would just like to say that there can be no possible objection to increasing the number of these Commissioners, absolutely none. I would go further than that and say that I do not think the British Government and the British people and British traders and commercial men have done anything like enough in the past, or anything like what they will be compelled to do when the War comes to an end. I feel very strongly (and I have been watching what has been going on) that British business men will have to fight harder against countries from which they have not had a great deal of competition in the past than ever they have had to fight against Germany. I am speaking now of industrial matters. I think time will show that the opinion I have expressed is correct. We are all anxious to assist, and what has occurred to me is this. I want to come back for a moment to the business of the Conference. We took the whole of the last sitting discussing commercial matters, and we come along this morning and find that it is not convenient to the representatives of the Imperial Government to go on with that subject. Very well; we do not very much object to that; it will probably go to the War Cabinet and be discussed there at considerable length, and, if you like, it will come back to be discussed here. Now here is a proposal to which there is no possible objection, and, upon my word, seeing the enormous amount of work which we have in front of us on such matters as Preference, the Future Representation of the Dominions in Imperial matters, and Migration from the United Kingdom, and all that sort of thing, I really do not think that we should occupy a very great deal of time in discussing this, seeing that no possible objection can be raised to it.



7th Day.]

TRADE COMMISSIONER SERVICE.

[4 April 1917.]

General SMUTS: May I move a Resolution to bring the matter to a point?

CHAIRMAN: Yes. This Resolution is proposed by General Smuts: "That the Imperial War Conference welcomes the proposed increase of the Board of Trade service of Trade Commissioners and its extension throughout the British Empire, in accordance with the recommendation of the Dominions Royal Commission, and recommends that the Governments concerned should co-operate so as to make that service as useful as possible to the Empire as a whole, especially for the promotion of Inter-Imperial Trade."

Sir EDWARD MORRIS: I should like to second that Motion and to say that I entirely concur in the proposal of the Board of Trade in relation to the establishment of additional Trade Commissioners; but I would like to point out to the President of the Board of Trade that it would be desirable to have one of those permanently residing in Newfoundland. In the past we have had one Trade Commissioner between the two countries—Canada and Newfoundland—and we have had an annual visit from him, but more than that is, I think, desirable now. If you are going to give three Trade Commissioners to Canada, one might be allotted to Newfoundland and have a permanent residence there.

Sir ALBERT STANLEY: I should certainly be the last one to place a restriction upon our attempts to increase the scope of our trade activities. We shall certainly give very careful consideration to your suggestion.

Mr. HAZEN: I hope this may lead to a very considerable development of British trade in Canada. Some years ago in conversation with Sir William Van Horne, who was for years the President of the Canadian Pacific Railway Company, he pointed out to me in very vigorous language that the British merchants and British manufacturers had not organised trade with Canada in the way it should be organised, and that there was room for a tremendous development of trade which would be very much to the advantage of the British manufacturer and the British merchant if trade was organised with Canada along proper lines. He pointed out that the people in the United States were doing a lot of trade with Canada which could very well be done by the people of the British Isles if they used modern and progressive methods in the way of getting hold of that trade. He said to me that he believed that he could undertake himself, with his wide experience in many activities, to organise British trade in a way which would be enormously to the advantage of the British Isles and at the same time be very much to the advantage of Canada. I hope that these Trade Commissioners will take up questions of that sort very actively and very energetically, and I have no doubt what is true of Canada as to British trade would also be true of other Oversea Dominions.

CHAIRMAN: Is it your pleasure that the Resolution proposed by General Smuts and seconded by Sir Edward Morris be approved? (Agreed.)

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## EIGHTH DAY.

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Friday, 13th April 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11 A.M.

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### PRESENT:

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable The EARL of DERBY, K.G., G.C.V.O., Secretary of State for War.

The Right Honourable Sir ALFRED L. MOND, First Commissioner of Works.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT:

Sir G. V. FIDDES, G.C.M.G., C.B., Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

Sir LIONEL EARLE, K.C.B., C.M.G., Secretary, Office of Works.

Mr. J. S. RISLEY, C.B., Legal Adviser, Colonial Office.

Brigadier-General F. A. G. WARE, C.M.G., Director of Graves Registration and Enquiries, War Office.

Captain J. R. BROOKE, R.G.A., War Office.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet, and Private Secretaries.



8th Day.]

INVITATION FROM THE FRENCH GOVERNMENT. [13 April 1917.

**Invitation from the French Government.**

CHAIRMAN: The first communication I have to make to the Conference is that I have received from the French Ambassador in London the following invitation addressed to the Secretary of State for Foreign Affairs. He says that he has a command from Monsieur Ribot to say that the French Government will be delighted to receive a visit from the Representatives of the Great British Dominions who are actually in London at the present time. Monsieur Ribot asks the British Government to convey this information to the Members of the Conference and to inform the French Government of the date, &c., on which it would be possible for them to visit Paris, supposing they decide to do so. I do not know whether the Members of the Conference would be prepared to instruct me to answer that communication to-day or whether they would prefer to consider it.

Mr. MASSEY: It depends upon the time at which we finish up our business.

Sir ROBERT BORDEN: I think we must consider it.

CHAIRMAN: Then perhaps you would like to have a copy of this invitation sent to you.

Sir ROBERT BORDEN: Yes; thank you.\*

**Representation of India at future Imperial Conferences.**

CHAIRMAN: Then there is a Resolution carrying out the decision of the Conference as regards the inclusion of India. At the last meeting the Conference decided to pass a Resolution with reference to India securing permanent representation at the Conference, and I have had the following Resolution drawn:

"That the Imperial War Conference desires to place on record its view that the Resolution of the Imperial Conference of 20th April 1907 should be modified to permit of India being fully represented at all future Imperial Conferences, and that the necessary steps should be taken to secure the assent of the various Governments in order that the next Imperial Conference may be summoned and constituted accordingly."

I think Sir Robert Borden will move that.

Sir ROBERT BORDEN: Yes, I have great pleasure in moving it.

Mr. MASSEY: And I in seconding it.

CHAIRMAN: This Resolution is proposed by the Prime Minister of Canada, Sir Robert Borden, and seconded by the Prime Minister of New Zealand, Mr. Massey. Is it your pleasure that that Resolution be adopted?

(Agreed.)

Mr. CHAMBERLAIN: May I, on behalf of India and its representatives, say one word of very grateful thanks to the other members of the Conference for what

\* NOTE.—The following reply was subsequently sent to the invitation of the French Government:—

YOUR EXCELLENCY,

Foreign Office, April 24th, 1917.

WITH reference to Your Excellency's Note of the 3rd instant, in which you were so good as to extend to the oversea Representatives of the Imperial War Conference the cordial invitation of your Government to visit France, I have the honour to inform Your Excellency that the Representatives have requested me to beg Your Excellency to convey to the French Government their warm thanks for this generous invitation, which they would, if circumstances had permitted, have been delighted to accept. The Representatives feel, however, that the pressure on their time is such that it is impossible for them, as a body, to pay a visit to France.

If, however, any individual member of the Imperial Conference should find it possible to visit France later, I shall not fail to inform Your Excellency in time for the necessary arrangements to be concerted.

I have the honour to be, with the highest consideration,

Your Excellency's most obedient, humble Servant,

His Excellency Monsieur Cambon,

R. GRAHAM.

&c., &c., &c.



13 April 1917.]

REPRESENTATION OF INDIA AT FUTURE  
IMPERIAL CONFERENCES.

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Mr. CHAMBERLAIN—*cont.*

they have just done. Sir Satyendra Sinha wishes me to add that it will give great satisfaction in India.

CHAIRMAN: I also am very glad indeed.

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**Care of Soldiers' Graves.**

CHAIRMAN: The question for our discussion now is the proposals of the "Prince of Wales's Committee for the Care of Soldiers' Graves," in regard to which a minute of the Prince of Wales has been circulated,\* and there is going round now a Draft Charter,† which has been prepared to give effect to that. There is a Resolution, which, I understand, Sir Robert Borden is prepared to move later on, but I also understand that the Conference wishes to say something about the general question. Lord Derby, the Secretary of State for War, is here, although it is not simply a War Office question.

LORD DERBY: As representing the War Office I do not know that I have really anything to say except just this, that this Royal Commission which is to be formed is not going to be advisory, but is going to have executive power to see that the graves of our soldiers are kept for all time in proper order. The agencies they would use for such a purpose would be left entirely to that Royal Commission, and there would be no question of saying to it: "You are to use this or that body to do it." All the Dominions will be represented, the Crown Colonies will be represented, and India also will be represented. There are certain people in this country who will also be represented. It will be a body which, as I say, will have executive powers and will use its own agencies for seeing that these graves are properly looked after, and I hope by this means we shall get not only the work well done, but get continuity, without which I am perfectly certain some graves, at all events, would probably fall into neglect. What we want to avoid is the spasmodic efforts that are made from time to time to look after the graves of soldiers in past wars. We want to ensure that the graves of those who have fallen in this War are looked after by those who are living at the same time, and handed on to those who come after them. That is my view, and I hope it will be adopted by this Imperial War Conference.

Sir ROBERT BORDEN: I do not know whether we have all had an opportunity of looking over the proposed Charter.

Mr. MASSEY: We have not.

Sir GEORGE PERLEY: Has this Charter been passed by the Committee?

LORD DERBY: No.

Sir GEORGE PERLEY: It will be submitted to the Prince of Wales's Committee, I suppose, before it is finally agreed to.

LORD DERBY: The Prince of Wales has by his minute handed the matter over to this Conference for decision. If this Imperial War Conference accepts this scheme—and this Charter has been most carefully drawn with a view to giving effect to the wishes which have been expressed—then there is no question of its being referred to anybody else. It will be accepted; of course it will have to go through the necessary forms and get the Royal Assent, and so on, but I do not think you need have any fear that there will be any alteration made.

Sir GEORGE PERLEY: I quite agree in the general principle, and no doubt it will be all right, but I notice one thing which should be altered. If there were not a High Commissioner here, for instance, you could not have anybody to take his place under this ruling. The Government of Canada could not appoint anybody else.

\* See Minute printed on pp. 122-133.

† See Draft Charter on pp. 137-144.



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General WARE: I would like to refer you to Subsection (3) of Clause 5 of Part IV. of the Draft Charter where, I think, that point is met.

Sir GEORGE PERLEY: The High Commissioner may appoint a representative if he were not present, but the Government of Canada could not appoint some one to take his place if there happened to be no High Commissioner. It is a small matter in a way, but there may be little things of that kind in which the Charter might be improved. I have not had an opportunity of reading it.

Mr. MASSEY: I think the Charter may be improved after the Imperial War Conference has expressed an opinion upon the general question. I do not think there is any difficulty about it. The point raised by Sir George Perley is a very important one and, as a matter of fact, I had made a note of it upon the original memorandum. There are other points. I do not think this quite fills the bill. May I say at once that I agree with the general principle, and I am sure I am expressing the opinion of all the other Members of the Conference when I say that we all appreciate what is being done to care for the soldiers' graves not only in this country but overseas in France and in Belgium. I will say a word about Gallipoli presently. There is that point about the High Commissioners, and I think instead of the High Commissioners the representation of the different Dominions should be left with the Government of the Dominion itself. It might be, for instance, that the High Commissioner representing a Dominion would have his hands sufficiently full without taking up work like this, or a Dominion might have a more suitable representative, a man with plenty of time and leisure to attend to a thing like this, and with whom it would be a labour of love. The Dominion concerned might make arrangements with the High Commissioner so that the other man would act. I can imagine a case like that. I am not blaming any High Commissioner, but I am suggesting what may possibly happen in the future because we are making arrangements not only for the present but for a great many years to come. I know perfectly well that this can be altered as time goes on.

LORD DERBY: Might I suggest that in order to save the time of the Conference, which you yourself said was so valuable, the best thing would be if you will accept it as a general principle, that everybody should take this draft away and should send in to General Ware any criticisms or alterations they wish to make. If it is then found possible to incorporate them, they could be incorporated and, on the other hand, if it was not found possible to incorporate them the matter should be discussed between, if you like, myself and the individual Member of the Conference who wishes something altered, in order to see if we can arrive at some understanding and then put it in its final form for acceptance by this Conference.

Mr. MASSEY: There is another point I want to raise now, and it is this: In the Minute from the Prince of Wales which has been submitted to us there is this proposal referring to the Commission—

LORD DERBY: We have had certain discussions on what we have known of the objections, and I think you will find the Draft Charter now does differ a little from the actual Minute, and I think you will find, probably, it meets your case.

Mr. MASSEY: There is the difficulty in which we are placed. We get this placed in our hands—

LORD DERBY: My proposal is that you should take the Draft Charter away with you and study it carefully, and that you should tell me what objections, if any, you have that have not been met in the Charter, and then we should endeavour to incorporate them in a fresh Draft Charter. I think that would save time.

Mr. MASSEY: Very well.

Sir ROBERT BORDEN: The Resolution I was asked to move is this:—

“The Conference, having considered the Minute addressed to the Prime Minister on the 15th March 1917 by His Royal Highness the Prince of Wales, concur in the proposals made therein, and humbly pray His Majesty to



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constitute by Royal Charter an Imperial War Graves Commission for the purposes, and on the lines, stated by His Royal Highness. The Conference desire to record their grateful appreciation of the work already done by the Prince of Wales and his Committee in caring for the graves of those who have fallen in the common cause of the Empire, and their satisfaction that His Royal Highness has consented to become the President of the permanent Commission."

So far as the concluding paragraph is concerned, there would not be a moment's hesitation in concurring most heartily in that expression of appreciation. However, as Lord Derby has said, the Draft Charter which is put before us does differ in some respects, which might be regarded as more or less material, from the Minute which has led to the Resolution. So possibly it might be desirable to modify a little the words of the Resolution in order to make it clear that we are dealing with the terms proposed in the Charter subject to such modifications as might be approved by the Conference.

Mr. CHAMBERLAIN: I hope, Mr. Long, we may accept Lord Derby's suggestion. This Charter has only been put in our hands this morning and it is quite impossible for any of us to compare it as we sit here with the Memorandum, or to see exactly what has been done. If we could have the advantage of the offer which Lord Derby has made, namely, that we should communicate to him any suggestions we wish to make and that then the document as settled as the result of those private negotiations should come for formal approval to the Conference, I really think we should save time and do our business more satisfactorily.

Sir ROBERT BORDEN: If we wish to make progress would it not meet the view of the Conference if we modified the Resolution in this way:

"Humbly pray His Majesty to constitute by Royal Charter an Imperial War Graves Commission for the purposes and on the lines set forth in the Draft Charter now submitted to this Conference"?

Sir JOSEPH WARD: And then the Draft Charter would come up afterwards.

Sir ROBERT BORDEN: It merely says "for the purposes and on the lines"; it does not bind us.

Sir EDWARD MORRIS: I think that would meet the case, because it would enable us to make any alterations in it.

Sir ROBERT BORDEN: The difficulty is that the proposed Charter does not follow precisely the lines of the Memorandum.

General SMUTS: I have just been glancing through it and I think the Draft Charter is an improvement on the Memorandum.

Sir ROBERT BORDEN: I think it is an improvement.

General SMUTS: I think if the Resolution is passed like that, it is simply generally "on the lines of" the Memorandum submitted, and I would strongly favour that. If we pass this Resolution in this general form and then make to General Ware our suggestions as to any small amendments, most of my difficulties are removed by the terms of the Charter.

Mr. MASSEY: I want to say a word about this. I understand the Motion is now before the meeting, and it is a matter upon which I feel somewhat strongly. I gave notice of motion at a previous meeting with regard to Gallipoli from a sense of duty to the people whom I represent. The question of Gallipoli was raised in New Zealand last session, it was not discussed at length but a request was made that I should, if I got the opportunity, bring it before the Imperial authorities. At that time there was no suggestion of an Imperial War Conference or anything of the sort, but I promised, and, as a matter of fact, I should have done it without any promise being made and should have endeavoured to have the matter put right if it was possible to do so. As I say, I gave notice of motion at a previous meeting, though I have not got a copy of the notice here, which was to this effect—and I



Mr. MASSEY—*cont.*

will read an amendment I propose to move—that an endeavour should be made, when peace terms were being arranged, that the ground in which our soldiers are buried in Gallipoli should pass under the control of a British organisation. That was the line I took. I am sorry that, so far as I have been able to see, there has been no attempt made in this Draft Charter, or in the Motion now before the Conference, to meet me on that very important point, because it is really a matter of intense importance to many people in the Overseas Dominions, and to many people in Britain and in India, that something should be done in this way. So far as the Charter is concerned, it is quite impossible for anyone to grasp the real meaning of every point raised in it when it is only brought before us in this way, and on that account I am quite willing it should stand over.

LORD DERBY: I think we can simplify and shorten matters if you accept my suggestion, because you will see yourself in the Charter the purpose of the Commission is: "To acquire and hold land for the purpose of cemeteries in any territory in which any officers or men of our military or naval forces raised in any part of our Empire who shall have fallen in the present War may be buried." And "To acquire by gift, purchase, or otherwise, and hold and dispose of personal or movable property of every kind in the United Kingdom or elsewhere." That is as far as we can go.

Mr. MASSEY: No, I stand by myself, but I want special reference made to Gallipoli if it is possible. I do think Gallipoli is of sufficient importance for the War Office and for the Members of this Conference specially to consider it.

Sir EDWARD MORRIS: There could be no objection to mentioning all these places including Gallipoli.

Mr. MASSEY: I want to move this amendment:

"That this Conference is strongly of opinion that when peace terms are being arranged an earnest endeavour shall be made to have that part of the Gallipoli peninsula where lie the remains of so many British and Overseas Dominion soldiers placed under the control of the above-mentioned Commission."

I move that as an amendment, and I hope Sir Robert Borden will accept it.

Sir EDWARD MORRIS: I would suggest to Mr. Massey that if we were to name the various theatres of war the words read out by Lord Derby would meet the case—that is, to secure land in Great Britain, Gallipoli, Mesopotamia and the various theatres of war or elsewhere. That would meet the whole case. That is what the words of the Charter are intended to give the Commission power to do—to secure this land in every theatre of war. Your case, Mr. Massey, will be met by naming these various theatres and then the words "or elsewhere" would cover it.

General WARE: I should like to say that it was the intention when this Charter was drafted to include Gallipoli in the recital where it says those "buried in foreign countries." It will be quite possible in that way to emphasise the matter and to draw attention to the Gallipoli graves, if that is the desire of the Conference.

General SMUTS: I think it is invidious. Why should a distinction be drawn between men who rest in Gallipoli, coming from one part of the Empire, and others who fought just as bravely, and who lie in another part of the world?

Sir ROBERT BORDEN: It would seem to me that if the Charter does not make that perfectly clear—I must say I thought it did—reference should be made to all the theatres of war in other countries. I think there is no objection to doing that.

Mr. HAZEN: It would be a very difficult thing to refer to every particular theatre of war. I think it would be better to leave it general as it is here, which covers anything.

Mr. ROGERS: We cannot distinguish one or two.



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Mr. MASSEY: I am afraid, Mr. Long, the Members of the Conference do not see the point. I did not think it necessary to emphasise it, but Gallipoli is in an enemy country in possession of the enemy. The other places are not in the same position. I am glad to see that France has done its duty already; France has handed over the ground to the British Government where the British soldiers have been buried, and Belgium proposes to do exactly the same thing, and no doubt it will be done; but Gallipoli is in quite a different position, and there is very serious difficulty there, which I am afraid will not be got over, and that is why I raise it, and I feel it all the more strongly because no representatives of Australia are here to-day, so that Sir Joseph Ward and I are really speaking on their behalf as well as our own.

LORD DERBY: Mesopotamia would equally come under that.

Sir ROBERT BORDEN: Or Palestine.

General SMUTS: And Salonika.

LORD DERBY: Yes, Salonika.

Sir JOSEPH WARD: If this matter is regarded from the New Zealand standpoint, then I think if the Conference can agree to what Mr. Massey has proposed, it would be a very gracious matter on their part to do it. I agree with Lord Derby that we should accept this Charter, after we have had the opportunity of considering it, as the basis upon which the whole control of the graves of our soldiers should rest. That is perfectly right, and it would save a good deal of time if we defer the consideration of it until we have had an opportunity of going through the details of the Charter. Sir Robert Borden has moved a Resolution which leaves out that point to which Mr. Massey has referred, and to which I was going to call attention, namely, the case of Gallipoli, Mesopotamia, and other places.

Sir ROBERT BORDEN: There are also Palestine and Salonika.

LORD DERBY: And South-West Africa.

Sir JOSEPH WARD: We had it not only brought up before the New Zealand Parliament, but before the Cabinet of New Zealand, and there is a very strong desire there (the New Zealanders took their full share in the fighting at Gallipoli), and a strong sentimental feeling—and a sentimental feeling is a very powerful one—that care should be taken of the graves of the men dear to people who are thousands of miles away from Gallipoli. It seems to me that Sir Robert Borden could, without any difficulty, have what is proposed included in his Motion.

LORD DERBY: I agree with Mr. Massey that, from a sentimental point of view, it is just as well to mention these places if you can mention them. I do not say that you cannot, but what I do think is that you must be very careful in a Charter like this to deal with all graves, all over the world almost, where our men have been killed or have died, so that by mentioning certain localities you do not exclude others from the powers of the Charter under which this Commission is to work. Therefore, I do not myself see any harm in doing so, if it is wished, to put in Gallipoli, Mesopotamia, and all the other places, as long as you have the qualifying words at the end "and elsewhere."

Mr. MASSEY: "And other places." What I propose is that Gallipoli should be mentioned, "and other places where lie the remains," and so on.

Sir ROBERT BORDEN: With all deference to the considerations that have been advanced, and with every possible appreciation of what has been done in Gallipoli or anywhere else, I see no reason why Gallipoli should be mentioned more distinctively than other theatres of war where men have fought with equal courage and equal distinction. It is said that we must consider enemy countries. I am not impressed with the importance of that, because whether it is an enemy country or any other foreign country suitable arrangements can only be made by negotiation with foreign Governments. We have no more right over the land in France than we have over the land in Gallipoli except by arrangement with the French Government.

Mr. MASSEY: France is our Ally.



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Sir ROBERT BORDEN: I know France is our Ally, but we have no more right over her territory than over Gallipoli. We must make arrangements with the French Government, and it is equally important to us as to any other Dominion to know that the graves of the men who have fallen are to be properly cared for, and we expect that they will be cared for under this Commission.

Mr. MASSEY: I look upon it in this way. I happen to know as a matter of fact—and this is not second-hand information—that the graves in Gallipoli are being neglected. I say that positively. You cannot expect anything else.

LORD DERBY: We cannot get there to do anything.

Mr. MASSEY: As I say, you cannot expect anything else. It is enemy territory, and I say it is simply sacrilege to allow the state of things existing in Gallipoli at the present moment to go on. It will be sacrilege to allow the graves of our men to be trodden over by human beings and by animals, as they certainly will be in years to come, and soon every mark will be obliterated. I have seen a photograph of the place, and it made me sad and sorry to see it and to think of what was going to take place within a very few years.

Sir ROBERT BORDEN: I agree with Mr. Massey that any such condition should be prevented by every possible means in our power, whether it is in the terms of peace or otherwise.

Mr. MASSEY: Yes. I am simply doing my duty by moving the amendment, and I propose to take a vote upon it if it is necessary—I hope it will not be—because I know the country which Sir Joseph Ward and I represent will feel it very keenly if something is not done with special reference to Gallipoli. I admit that other places should be considered in the same way, but there are not the same difficulties in the other places as exist at Gallipoli.

Mr. HAZEN: Does your Resolution carry the matter any further than the provision here under "Purposes and Powers of the Commission," where the first subsection in clause 1 of Part V. says: "To acquire and hold land for the purpose of cemeteries in any territory in which any officers or men of our military or naval forces raised in any part of our Empire who shall have fallen in the present War may be buried"? Would not one of the first acts of this Commission, which is constituted by Royal Charter, be to enter into negotiations for the purpose of acquiring the land in Gallipoli in which the Australians and men of other Dominions have been buried?

LORD DERBY: I am not sure it is not a question which would be taken in as one of the peace terms.

Mr. MASSEY: That is exactly what I want.

Mr. HAZEN: It seems to me that would be one of the first functions of the Commission.

Mr. MASSEY: I do not think Members of the Conference have grasped my point.

Sir ROBERT BORDEN: Yes, we have.

Mr. MASSEY: I will read my amendment again because evidently Members of the Conference did not know that I was referring to the peace terms:

"That this Conference is strongly of opinion that when peace terms are being arranged an earnest endeavour shall be made to have that part of the Gallipoli peninsula and other places where lie the remains of many British and Oversea Dominions soldiers placed under the control of such Commission."

LORD DERBY: The Charter gives the Commission that power.

General WARE: I would point out that the Draft Charter has this definitely in view in the second paragraph of the recital where it is said: "Negotiations are now proceeding or will hereafter be instituted, on our behalf with the Governments of other foreign States for similar grants of land for the graves of officers and men of our said forces who have been, or may be, buried in the territory of such States." As far as the Charter goes it is covered.

Mr. MASSEY: I am not speaking of the Charter. I am not objecting to the Charter. We can amend that, if necessary. The point I raise is that this shall come up when peace terms are arranged. That is the point.



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LORD DERBY : At the Imperial War Cabinet we shall discuss peace terms, and would it not be the right time then to put it in and not to do it when we are discussing the Charter, that amongst the peace terms should be the compulsory handing over of land in which our men are buried ?

Mr. MASSEY : I cannot understand the objection to this.

Sir ROBERT BORDEN : There is no objection, Mr. Massey, except this, that we have men fighting in Mesopotamia and in Salonika and in other theatres of war all over the world, and I think that the object which you have in view would be attained by making a general reference to all the theatres of war, so that the danger which you apprehend would be guarded against in the peace terms or otherwise. I have no objection to that.

Mr. MASSEY : I may say at once I am not satisfied with what is proposed. I see that it is suggested in the Minute that the Commission should consist of not more than fourteen members and those fourteen will be mostly officials. I do not see why the Commission should be limited to fourteen. We know that there are thousands of philanthropic men not only in Britain but elsewhere who would be delighted to be members of such a Commission.

LORD DERBY : The limit has been removed.

Mr. MASSEY : Has it ?

LORD DERBY : Yes, in the Draft Charter. May I go back to my original suggestion which is that you should see the Charter and let me know what alterations you want to recommend ?

Mr. MASSEY : But we have the Motion which has been moved by Sir Robert Borden before the Conference. There is another point arising out of it. I am glad that by the Charter the limit has been removed. The Commission is to consist of certain Ministers ; the Secretary of State for War and the Secretary of State for the Colonies, and so on, are to be members of the Commission, or their duly accredited representatives. Who are to be their representatives ? I would have no objection to raise if these gentlemen themselves were to remain on the Commission, because I know that they would do their duty, but their places may be taken by officials in their departments, who are naturally interested in their work rather than the particular subject we are discussing now, and we cannot expect them to give that attention to it which this subject deserves. However, I am doing what I strongly feel is my duty under the circumstances, and I am going to ask the Conference to decide.

LORD DERBY : I hope Mr. Massey will not think I am opposing in the least what he says. I recognise to the full that we must do everything we possibly can, and really I am dealing with it with a view to simplify it, and I say we will put in everything we possibly can to make it perfectly clear.

General SMUTS : Would it satisfy Mr. Massey more if all the various theatres were set out ?

Mr. MASSEY : I have said " Gallipoli and other places."

Sir EDWARD MORRIS : Have you any objection to naming the other places ?

Mr. MASSEY : Not a bit.

Sir EDWARD MORRIS : Then I will second it.

General SMUTS : One does not want to have to do the invidious thing of voting against it.

LORD DERBY : Certainly mention all the theatres of war so long as you add " and elsewhere " at the end in order to make it clear that it refers to wherever men may be buried.

Sir ROBERT BORDEN : I object to mentioning one theatre of war and grouping the others in a general term. I will not support a Resolution of that kind. If theatres of war are mentioned I insist on all the theatres being mentioned whether



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they are in enemy countries or allied countries. I am perfectly prepared to support that, but I will not support a Resolution at this Conference selecting by name one particular theatre and leaving the others under a general designation "and other places." I will not support that.

Mr. MASSEY: Then it is Sir Robert Borden's duty to move for the insertion of the names of the other places, and I will accept that.

Sir ROBERT BORDEN: I have proposed the Resolution which was handed to me by the President of the Conference, and I am willing to modify it on the lines I have mentioned, if the Conference is of opinion that it should be done, naming all the theatres of war.

CHAIRMAN: If you name all the theatres of war, does not that cover the ground?

Mr. MASSEY: I have said that I am prepared to accept that.

Sir EDWARD MORRIS: I will second the Motion in that form.

Sir ROBERT BORDEN: Perhaps we can have it passed in that form and then agree amongst ourselves.

General SMUTS: I think that is best, Mr. Massey, and it meets your point.

Mr. MASSEY: I am prepared to accept that.

LORD DERBY: Then will each Member of the Imperial War Conference send to me, or to General Ware, at the War Office, the names of the theatres of war and how they wish them described?

Mr. CHAMBERLAIN: I am very sorry to wear even the appearance of obstruction, but surely it is not possible to deal with Mr. Massey's Resolution in that way. He proposes that when peace terms are being arranged an earnest endeavour should be made to place all positions where British graves lie, whether in friendly or enemy territory, under control of an Imperial organisation. Surely we cannot make a stipulation like that with France in connection with peace terms?

Mr. MASSEY: That has been done already.

LORD DERBY: Yes, that is done.

Mr. CHAMBERLAIN: Are you going to name France in this Resolution?

Mr. MASSEY: No, France has arranged.

Mr. HAZEN: France is one of the theatres of war.

LORD DERBY: France has agreed by law.

Mr. HAZEN: But even if it has agreed is it to be named?

CHAIRMAN: The real point seems to be in what way you are to make it clear that it is the desire of the Conference that every effort should be made to secure the same protection for graves in enemy territory that is already secured in allied territory?

LORD DERBY: That is the whole thing.

CHAIRMAN: It is suggested that in order to make that clear you should designate all the enemy territories—all the theatres of war.

LORD DERBY: I may mention incidentally that Salonika is neutral territory.

Sir ROBERT BORDEN: The territories outside the British Empire are all very much in the same position. We make arrangements with a Foreign Government.

General SMUTS: I do not like to vote against Gallipoli, and although I think it is the better thing I would prefer to mention all these theatres, and I am sure General Ware will consent to that.

General WARE: There is no difficulty at all in introducing that into the Charter if we have an instruction from the Conference.

Mr. MASSEY: I do not want to alter the Charter. As far as I am concerned I stand by the Resolution. I do not care two pins for the Charter. The Resolution is what I am dealing with.

Sir ROBERT BORDEN: The Conference ought to express appreciation of the arrangements which have already been made by France.



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Mr. MASSEY : That should be done.

Sir ROBERT BORDEN : And it should further proceed to express its conviction that adequate arrangements should be made with regard to graves in territory which will after the conclusion of the War remain in enemy occupation and then, if you like, go on to name those theatres.

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CHAIRMAN : There are one or two general questions which have been raised in the discussion, for instance, as to the appointment of representatives of the Imperial Government and of the Dominions, and whether that should be as it is in the Charter, or whether the general view of the Conference is that the Governments should have power to appoint their representatives. If we could settle these it would help the War Office.

General SMUTS : If any of these people cannot be present at meetings, those who represent them should be settled.

General WARE : We want to know whether the High Commissioners should be definitely specified or whether, as Mr. Massey suggested, the words should be "Representatives of the Self-governing Dominions," who need not necessarily be High Commissioners.

CHAIRMAN : The point is that in the Charter you gave Newfoundland the right to name their representative, because they have not got a High Commissioner resident in London. The suggestion made is that you should make that applicable to all Dominions. This is really the point.

LORD DERBY : There would be no difficulty about that.

Sir JOSEPH WARD : There is no objection to "the High Commissioner or such other representative."

CHAIRMAN : Not he, but the Government may select.

Sir JOSEPH WARD : Yes.

Sir ROBERT BORDEN : They would be regarded as *ex officio* representatives. Another point was raised by Mr. Massey which might be considered now and that is as to the power of delegation. I understood he had some objection to that.

Mr. MASSEY : Yes. I really do not think that power should be there. I think it is quite right that the Ministers mentioned here should be members of the Commission, but I do not think they should have power to delegate their positions on this Commission to any official in their department.

Mr. CHAMBERLAIN : Would not that be rather hard on the Secretary of State, for instance? He represents in this matter the Government of India. The Government of Canada or the Government of New Zealand may appoint anybody to act in the absence of their nominated person, but India would be deprived of any representation unless the Secretary of State could attend.

Sir ROBERT BORDEN : Mr. Massey's objection was general, whether to the representatives of the Dominions or to the Secretary of State.

Mr. CHAMBERLAIN : I beg your pardon ; I thought he claimed the right for the Dominions. May I say what I think is the case? and then he will tell me whether I am right or wrong. I thought he claimed the right for the Dominions to substitute somebody for the High Commissioners if they so wished.

Mr. MASSEY : Yes.

Mr. CHAMBERLAIN : But he refuses that right to the Secretary of State for India to be represented by anybody except himself.

Mr. MASSEY : Yes. I do not think Mr. Chamberlain has actually grasped the position, if he will allow me to say so. In the one case the Imperial Minister would have the right to say to one of his officials, "You go along and represent me on this Commission." But I do not suggest that the High Commissioner representing any one of the Dominions should have the right to take up that position, and it would be for the Government of the country he represents in London to make some arrangement for some other man if they thought it desirable or proper.



Sir ROBERT BORDEN: Pardon me, but I would like to know what your objection is. As it stands at present the Secretaries of State and the High Commissioners equally have the power of delegation. Are you objecting generally to the power of delegation as regards all, or are you objecting to the power of delegation as regards the Secretaries of State?

Sir JOSEPH WARD: In our case we suggest that he should be "the High Commissioner or such other representative as the Government may appoint."

Sir ROBERT BORDEN: I understand Mr. Massey objects to the High Commissioner *ex officio*.

Sir JOSEPH WARD: Pardon me; the proposal is "the High Commissioner or such other representative as the Government may suggest."

Sir ROBERT BORDEN: But still he would be an *ex officio* member to represent the particular Government.

Sir JOSEPH WARD: No. That is not so.

Sir GEORGE PERLEY: The man who is *ex officio* representing the Dominion ought to have the power of substitution, because he may be ill and may be unable to go, and therefore he may want to send somebody to a particular meeting—not substitution for *always*, but substitution for any meeting that may be called.

Mr. MASSEY: This is substitution for always.

Sir JOSEPH WARD: I think Sir George Perley is right there.

Sir GEORGE PERLEY: Subsection (3) of clause 5 of Part IV. only refers to special meetings, if you read it.

General WARE: Mr. Massey, if you would cast a more favourable eye on this poor old Charter of ours you will see that it endeavours to meet this difficulty, and it differs in this respect from the impression given you by reading the Minute. What is done in the Charter is that the Secretaries of State mentioned are *ex officio* members of the Commission and they are given under clause 5 of Part IV., subsection (3), powers, if you will look at it: "If any *ex officio* member is unable to be present at any meeting he may appoint some fit person to represent him at such meeting." The High Commissioners, or the representative who is appointed to this Commission, would have exactly the same powers as an *ex-officio* member. I think that meets the case. If Mr. Massey approves the Charter, I do not think there will be any difficulty in meeting this point.

Sir JOSEPH WARD: As I was saying, I agree with Sir George Perley that that takes away the effect. My suggestion is "the High Commissioner or such other representative."

General WARE: It is most important that a definite instruction should be given on the matter by the Conference, as the Charter does at present differ in this respect from the Resolution as proposed.

Mr. MASSEY: General Ware must understand the position in which we are placed. This Memorandum was circulated yesterday, at least I saw it yesterday for the first time. I read it carefully, and I saw that it did not quite meet my ideas, and that I would have to suggest certain amendments. Then we came along and are faced with a Draft Charter of eight pages. I am not a member of the legal fraternity, but I say it is impossible for any man on earth to understand all the proposals in that Charter at a minute's notice.

CHAIRMAN: But on this simple point I do not think it raises any difficulty. It is a question on which I am sure there is a misapprehension. The suggestion of the Charter and the proposal of the War Office is that the Commission should be appointed in a particular way. In the event of any Member of the Commission being unable to attend he has a power, which he really must have if you are to do business, of nominating somebody for the purpose for a day, and only for a day.

Mr. MASSEY: It does not say so.



13 April 1917.]

CARE OF SOLDIERS' GRAVES.

[8th Day.

CHAIRMAN: Yes, it says so distinctly, clause 5, subsection (3) of Part IV.: "If any *ex-officio* member is unable to be present at any meeting he may appoint some fit person to represent him at such meeting and such representative shall be entitled to exercise all the powers and privileges of such member save that he shall not be entitled or chosen to preside at such meeting."

Sir ROBERT BORDEN: It is not a general delegation.

Mr. MASSEY: I think that does meet my objection.

General WARE: We want an instruction from the Conference that that is their desire, as I take it it is.

Sir JOSEPH WARD: I think what Mr. Massey wants is that the ordinary power of delegation should exist.

Sir ROBERT BORDEN: For a special meeting or a general meeting?

Mr. MASSEY: Only for a special occasion.

Sir ROBERT BORDEN: It is not a general delegation?

Sir JOSEPH WARD: No.

Mr. MASSEY: In the Memorandum it is a general delegation, and that is what I object to.

Sir ROBERT BORDEN: That is the reason why I thought it would be desirable, if we pass the Resolution, that we should give some attention to this Charter and not refer to the Minute alone, which differs from it in very material respects. I thought possibly you might modify the Resolution somewhat in this way. If gentlemen will be good enough to look at it for a moment, it says: "Humbly pray His Majesty to constitute by Royal Charter an Imperial War Graves Commission for the purposes and on the lines stated by His Royal Highness." Instead of that I suggest "for the purposes stated by His Royal Highness and on the lines set forth as embodied in the Draft Charter submitted to the Conference"—something of that kind would meet it.

Mr. MASSEY: But we have not read the Charter. I think the whole thing had better stand over. It is quite evident we are not going to arrive at any agreement to-day.

Sir ROBERT BORDEN: I do not know that we are ever going to arrive at an agreement.

CHAIRMAN: I hope you will come to a decision. It is very difficult if we keep on postponing things every day, having regard to the very limited time at our disposal. I would not mind at all if we had the next month, but we have only eight days left.

LORD DERBY: Will Mr. Massey come to the War Office and see General Ware and myself with any amendments he would wish to put in? and we will then see how far we can incorporate them, and if we cannot incorporate them *in toto*, we can bring whatever differences we might have to this War Conference again.

Mr. MASSEY: That means postponement. I am prepared to sit up all night sooner than allow our business to go undone. I am prepared to give up all my private engagements in order to attend to the business of this War Conference, but I do say it is unfair to come along with eight printed pages at a minute's notice and ask us to agree to it without having had an opportunity of proper consideration.

CHAIRMAN: I really must protest. No such suggestion has been made to the Conference; quite the reverse. On the contrary, all we have asked is that there shall be a general agreement reserving as an absolute right to the representatives of India and every Dominion to get any alterations they like made in this Draft Charter. Really we are not asking the Conference to rush anything or to decide anything without further consideration.

Mr. MASSEY: When will those alterations be considered?

CHAIRMAN: Supposing you accept the Secretary of State's invitation and go to the War Office and discuss this question and fail to get your point, then the Charter comes before the Conference again and you will be able to raise the question here.



8th Day.]

CARE OF SOLDIERS' GRAVES.

[13 April 1917.]

Mr. MASSEY : Does not that come back to what I said just now, that we cannot agree to-day if it is open to further amendment?

CHAIRMAN : I do not think so. If we pass Sir Robert Borden's Resolution you are in a satisfactory position.

General SMUTS : Let us agree to the material point in this Motion. We ask His Majesty to constitute a Commission like that by Charter. That is really what is said in this Resolution, and the details are then left to discussion with the Director of Graves Registration.

Mr. MASSEY : I have expressed my opinion and I am going to leave it at that. When Sir Robert Borden moves the Motion I will move my amendment.

Sir ROBERT BORDEN : Lord Derby has submitted to me a clause which commends itself to my judgment and which might be added to the Resolution. Possibly it will enable us to dispose of it to-day:

"The Conference places on record its appreciation of the French Government in allotting in permanency the land in that country where our men are buried, and urges that similar arrangements should be made, if possible, in the terms of peace with all the Governments, allied, enemy, or neutral, for a similar concession in Gallipoli, Mesopotamia, Africa, and all the theatres of war."

General SMUTS : Yes, there may be future theatres.

Mr. MASSEY : I am prepared to accept that, and if I had been met in the same spirit at first I think we might have saved a somewhat lengthy discussion.

Sir ROBERT BORDEN : I think this is very much the spirit in which you were met in the first instance, as far as I understand the situation. Might I be permitted to suggest then that we pass the Resolution: "The Conference having considered the Minute addressed to the Prime Minister on the 15th March 1917, by His Royal Highness the Prince of Wales, concur in the proposals made therein and humbly pray His Majesty to constitute by Royal Charter an Imperial War Graves Commission for the purposes stated by His Royal Highness and along the lines therein set forth as embodied in the Draft Charter submitted to the Conference"—"along the lines" is perfectly general. Then follows the amendment which Mr. Massey is willing to accept and which has been submitted to me by Lord Derby.

Mr. MASSEY : Will you read that amendment again?

Sir ROBERT BORDEN : "The Conference places on record its appreciation of the French Government in allotting in permanency the land in that country where our men are buried."

Mr. MASSEY : "In perpetuity."

LORD DERBY : I am not a good draftsman.

Mr. MASSEY : Perhaps it does not matter.

Mr. CHAMBERLAIN : We had better say "appreciation of the action of the French Government."

Sir ROBERT BORDEN : Yes. "Appreciation of the action—its very deep appreciation of the generous action of the French Government in allotting in permanency." I think "in perpetuity" would be better.

General WARE : Yes; it has been done for ever. The French Government passed a law to that effect in 1915. It was an extraordinarily generous Act.

Sir ROBERT BORDEN : "In allotting in perpetuity the land in that country where our men are buried." Did not they do something more?

General WARE : They offered to look after the graves as well, but we did not accept that offer and said we would do it.

Sir ROBERT BORDEN : "And urges that similar arrangements should be made if possible in the terms of peace with all the Governments, allied, enemy, or neutral, for a similar concession in Gallipoli, Mesopotamia, Africa, and all other theatres of war." I think that covers it very appropriately.

Mr. MASSEY : That will do for me.



13 April 1917.]

CARE OF SOLDIERS' GRAVES.

[8th Day.

Sir ROBERT BORDEN : I will fix up this draft for the Secretary.

LORD DERBY : Will you come and see me about it, Mr. Massey ?

Mr. MASSEY : I will read the Charter first.

General WARE : May I come to see you, Mr. Massey ?

Mr. MASSEY : I shall be very glad to see General Ware if he comes along.

CHAIRMAN : Can we adopt the Resolution as it has now been read, subject to it being put into absolute form by Sir Robert Borden.

Mr. MASSEY : I accept it.

LORD DERBY : I may say one thing, that Sir Nevil Macready, the Adjutant-General, who is not here to-day, is ill and has gone on leave, but I would like the Conference to know that I am sure it is entirely owing to his efforts that from the very beginning these graves have been tended in the way they have been. He and Brigadier-General Ware, working under him, are really responsible for the organisation which, although it cannot do in any enemy countries what it has done in allied countries, has done its best for the graves of our fallen men. I am sure the Conference will appreciate those efforts.

CHAIRMAN : I am sure it will, and I hope Lord Derby will convey to the Adjutant-General our warm appreciation.

Sir ROBERT BORDEN : I agree most heartily in that.

LORD DERBY : May I convey that ?

CHAIRMAN : Yes.

Mr. MASSEY : It is a sacred duty to attend to these graves, and I hope it will not be neglected either now or for many centuries to come.

Mr. HAZEN : I have been glancing at the financial clauses in this Charter while I have been sitting here, and it appears to me that it is somewhat indefinite as to what provision is going to be made in order to obtain money for the purposes of this Commission for the keeping of these graves in proper condition.

Sir JOSEPH WARD : Is not that a matter for suggestion in the Charter ?

Mr. HAZEN : Is not this the time to make a suggestion ? It seems to be contemplated that an appeal for funds shall be made to the public. I want to put myself on record as being absolutely opposed to any such idea as making a public appeal for subscriptions or donations.

General SMUTS : That is for monuments or something of the kind.

Mr. HAZEN : I want to put myself on record as against any such method of getting money for the purpose of carrying on the work of this Commission. I do not think the care of the graves of the men who have made the supreme sacrifice for the Empire in the present War should depend in any measure upon voluntary subscriptions made by the public, although I believe there might be a most generous response to any such appeal if it were made at the present time. The care of these graves is to be in perpetuity, and it seems to me that the care of these graves should be by funds provided by the State, that is, by the British Isles and by the Dominions, whose sons came over here to fight in this great struggle and have made the supreme sacrifice in so doing. Therefore my idea of the practical working out of it would be that the Commission, when constituted, should make an estimate of what money will be required, and that that should be distributed in fair proportions according to some method that may be agreed upon between the British Isles and the Dominions overseas which have sent forces over here, and whose sons lie buried in these different theatres of war. That expense, whatever it might be, will be met by the Dominions overseas heartily and without the slightest hesitation or opposition at all. I would like to put on record here my view that the funds for this purpose ought to be provided out of the funds of the State, and that there should be no appeal for voluntary subscriptions to the public for this purpose. Subsection (2) of clause 1 of Part VI. clearly contemplates subscriptions of that sort ; it says that the Commission is authorised "to appeal for and receive public subscriptions and donations



Mr. HAZEN—*cont.*

in furtherance of the purposes of this Our Charter." And then it contemplates that money shall be left to them by bequest, gift, or grant. That is the reason I bring this matter before the Conference now. I think it is one of importance and ought to be determined.

LORD DERBY: I agree with you. I think it wants altering, but I think there are certain public subscriptions we may legitimately accept—not subscriptions to keep up the graves, but subscriptions which regiments will want to collect to erect monuments to their own men. What we want is to provide for the cases where regiments get subscriptions for monuments for their own men. We want to put it, I agree, in rather a different form, but this body should have the power of accepting that money and putting it to the use for which it is collected.

Mr. HAZEN: That is a very different thing from appealing for funds to the public.

Mr. CHAMBERLAIN: I submit that subsection (2) is unnecessary and that you have all the power you want in subsection (3).

LORD DERBY: I think so.

Mr. CHAMBERLAIN: The invidious thing is the first words of subsection (2), "to appeal for" funds. I think we all agree with what Mr. Hazen says.

Mr. HAZEN: If a regiment asks the Commission for permission to erect a monument to the officers and men of the regiment who have fallen, that would be naturally granted at once; but, on the other hand, the Commission would not appeal to those regiments and ask them to raise funds for that purpose.

LORD DERBY: I agree, and I will move that subsection (2) be omitted.

General WARE: If you leave us power to "receive," we will take out subsection (2), but under subsection (3) we have no power to receive.

LORD DERBY: Let us strike out subsection (2) altogether.

Mr. HAZEN: How do you propose to get the money? Do you propose that the Commission should make an estimate from year to year of the amount required and that then they should ask the Overseas Dominions and the British Parliament to vote the necessary funds in such proportion as may be thought equitable and right?

LORD DERBY: Yes, that is what I would like.

Sir ROBERT BORDEN: There is another matter I would like to suggest in connection with that; I do not know that it need be the subject of a formal Resolution.

CHAIRMAN: May we take out subsection (2) formally? Lord Derby proposes to withdraw subsection (2) of clause 1 under the heading "VI.—Financial." Is that your pleasure?

LORD DERBY: That is, the words, "To appeal for and receive public subscriptions and donations in furtherance of the purposes of this Our Charter," subsection (2) of clause 1 of Part VI.

Sir JOSEPH WARD: I am not sure that it should be struck out.

Mr. HAZEN: They will be entitled to receive "all funds."

Sir JOSEPH WARD: I think it will require amending only. Suppose the relatives of those men desire to send along some funds for a particular purpose?

CHAIRMAN: Surely that is met by subsection (3)?

LORD DERBY: We could put in there "To receive and administer all funds which may be given." That would meet it, Sir Joseph.

Mr. CHAMBERLAIN: You have got the words "or received from any other source" and now you will have "To receive and administer all funds which may be given or received from any other source."

Mr. ROGERS: That covers it.

CHAIRMAN: The words "or received" are all-sufficient in subsection (3).



13 April 1917.]

CARE OF SOLDIERS' GRAVES.

[8th Day.

General WARE: Considerable sums have already been collected by regiments, and we are under great pressure from relatives and regiments to erect permanent memorials, which are forbidden now, as soon as possible.

Mr. CHAMBERLAIN: In subsection (3) you have power to administer any funds you receive from any source.

Mr. MASSEY: I entirely agree.

General WARE: "To receive and administer?"

CHAIRMAN: I think you should consider before you put in the words "receive and" here. I have some experience of draughtsmanship and I think that would read very oddly. You have in subsection (3) the words now "to administer" and "or received," and I am quite sure that any Government draughtsman would say that the words "or received" would cover any funds, and that it would not be necessary to put in also "and receive."

Sir ROBERT BORDEN: They should only be put in if necessary.

General WARE: It is really a matter for the Government draughtsman.

CHAIRMAN: We can take out subsection (2).

Mr. MASSEY: I want to speak on this, Sir, if I have the right to do so.

CHAIRMAN: Yes.

Mr. MASSEY: Before we leave this subject I should like to say I thoroughly agree with the opinion expressed by Mr. Hazen. I think it is absolutely right that no appeal should be made to the public for subscriptions or contributions. The maintenance of these graveyards is a national duty, and, in the first instance, they should be maintained out of the public funds of Britain and the British Dominions; but I do not see any objection to generously-minded people, who perhaps have relatives buried in these graveyards, coming along with sums for the purpose of erecting monuments. I do think that the provision should be kept in to allow of these sums.

CHAIRMAN: That is in subsection (3).

Mr. MASSEY: Exactly. I believe the whole power required is in subsection (3), and therefore, as far as I am concerned, I see no objection to subsection (2) being struck out.

Sir ROBERT BORDEN: If that is disposed of I might mention another matter. I do not observe any provision for a report from the Commission to the several Governments which will contribute the necessary funds for the purpose of keeping up the graves. If the Governments of the Oversea Dominions, as well as the British Government, contribute, as undoubtedly they will, to the support of this most necessary work, it seems to me that there should be a provision in the Charter for an official report to all the Governments which so contribute, in order that such report may be laid before each Parliament, and in order that Parliament may have proper information as to the expenditure of the moneys which are to be contributed and generally as to the work of the Commission.

Mr. MASSEY: I quite agree.

Sir SATYENDRA SINHA: Is not that provided for under Part VIII. headed "Annual Report and Statement of Accounts"?

General WARE: It does not say to whom the report is to be addressed. The only provision made is for drawing up a report. I understand that the Prime Minister of Canada suggests that these reports should be made to the different Governments of the Empire.

Mr. HAZEN: I see that every Member of the Commission is entitled to receive a copy.

Sir ROBERT BORDEN: But that is not quite the same thing.

Sir JOSEPH WARD: Sir Robert Borden is, in my opinion, quite right. A report should go to the Governments who are furnishing the money.



8th Day.]

CARE OF SOLDIERS' GRAVES.

[13 April 1917.]

Mr. MASSEY : I see, as a matter of fact, I made a note of this on reading the Memorandum and my note was as follows : " Such Commission should report annually to the Imperial Government and the Governments of the Oversea Dominions of the Empire on its financial position and other matters of importance connected with its duties." I think it should be provided for.

Sir ROBERT BORDEN : It should be in the Charter.

Mr. MASSEY : Certainly.

Sir ROBERT BORDEN : I entirely agree. Perhaps it is unnecessary to move a formal Résolution if you will accept it as a direction.

CHAIRMAN : Will you accept that ?

General WARE : Yes.

Mr. HAZEN : Is this now finally disposed of—at the meeting this morning—because the discussion which has taken place shows how necessary it is to consider it very carefully ?

CHAIRMAN : We are specially reserving the right that the Charter should be amended.

Sir ROBERT BORDEN : The Charter is to be circulated and considered.

Mr. HAZEN : If it could be circulated a day or two in advance of the meeting where it is to be considered it would expedite matters very much and save time.

CHAIRMAN : I have made a note of that. Is there anything else which arises now ?

Mr. MASSEY : I think the Charter, before it is finally disposed of, should certainly be shown with the amendments in it.

Sir ROBERT BORDEN : That is understood.\*

CHAIRMAN : You do not want another copy of it in its present form ?

Mr. MASSEY : No.

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\* NOTE.—The draft Charter printed on pp. 137–144 shows these amendments in *Italic* and obliterated type.



## **NINTH DAY.**

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**Monday, 16th April 1917.**

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11 A.M.

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### PRESENT:

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness The Maharaja of Bikaner, G.C.S.I., G.C.I.F., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT:

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary of the War Cabinet, and Private Secretaries.

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9th Day.]

CARE OF SOLDIERS' GRAVES.

[16 April 1917.]

**Care of Soldiers' Graves.**

CHAIRMAN: I ought to inform the Conference that in regard to the graves arrangement I have asked the Foreign Office to be good enough to convey to the French Government in very warm terms the thanks of the Conference, representing the British Empire, for their splendid generosity in giving in perpetuity the land for the various cemeteries in France.

Mr. MASSEY: Will a copy of the telegram so sent by the Foreign Office be placed on record along with the proceedings of the Conference?

CHAIRMAN: Certainly. A copy of the telegram sent by the Foreign Office ought to be on record.\*

**Representation of India at future Imperial Conferences.**

With regard to the Resolution governing India and its publication, the Indian Government are very anxious that it should be published, and I have telegraphed to the Commonwealth of Australia, and at the end of the message I said: "The Indian Government is anxious for immediate publication in view of good effect which will be produced there. Having regard to your despatch of 9th January I presume your Ministers will see no objection if the Conference, who will be consulted on Monday next, so decide." Would the Conference agree to the publication of the Resolution about the inclusion of India, subject to our receiving a satisfactory reply from Australia, which has not come yet, but which will no doubt be satisfactory, because the despatch referred to approved of the matter in principle before?

Sir EDWARD MORRIS: I think so.

Sir ROBERT BORDEN: I do not see any objection to that.

Mr. CHAMBERLAIN: Then I take it I shall hear from you, Sir, as soon as you have received this?

CHAIRMAN: Yes, as soon as I receive an answer I will let you know.

Mr. CHAMBERLAIN: Thank you.†

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**Constitution of the Empire.**

Sir ROBERT BORDEN: I should like to make a slight amendment in the terms of the Resolution by substituting for the word "thereafter" at the end of the first paragraph the words "as soon as possible after the cessation of hostilities." It would then read in this way: "The Imperial War Conference are of opinion that the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the War and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities. They deem it their duty, however, to place on record their view that any such readjustment, while thoroughly preserving all existing powers of self-government and complete control of domestic affairs, should be based upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, should recognise their right to an adequate voice in foreign policy and in foreign relations, and should provide effective arrangements for continuous consultation in all important matters of

\* See despatch printed on pp. 150-151.

† NOTE.—The Resolution was subsequently published accordingly.



16 April 1917.]

CONSTITUTION OF THE EMPIRE.

[9th Day.

Sir ROBERT BORDEN—*cont.*

common Imperial concern and for such necessary concerted action founded on consultation as the several Governments may determine."

This subject is one upon which I might speak at great length. Many proposals with regard to the subject have been discussed in the United Kingdom and in all the Dominions of the Empire for many years past in all possible phases. There can be no doubt as to its importance. The growth of the Dominions in wealth and population has been very remarkable during the past fifty years, especially during the last twenty-five years. Their future growth we hope—and, more than that, we believe—will be even more marked. Foreign policy and foreign relations, with which is intimately connected the question of the common defence of the Empire, have been under the immediate control of the Government of the United Kingdom, responsible to the Parliament of the United Kingdom. It would appear from the views of constitutional writers that this condition during the later phases of the growth of the Oversea Dominions has proceeded on a theory of trusteeship which, whatever may be said of it in the past, is certain to prove not only entirely inadequate to the needs of the Empire but incompatible with the aspirations of the people of the Dominions in the future. I have spoken of the growth of the Dominions; it is by no means improbable that children now living will see their population surpass that of the United Kingdom. It is quite within the range of possibility that a single Dominion might grow to the extent which I have mentioned. Therefore it seems to me beyond question that the theory of trusteeship to which I have alluded cannot be continued indefinitely in the future.

In approaching the subject one is impressed especially with this consideration, that the greatest intellects of the Empire in the past have miscalculated the conditions that would develop in the Dominions, and have failed to foresee the relations of the Empire under the policy of developing full powers of self-government which was supposed to have the tendency of weakening, if not severing, the ties which unite the Dominions to the Mother Country. The policy of complete control in domestic affairs and complete autonomy in all local affairs, instead of weakening the ties which unite the Empire, has very greatly strengthened them. It was said by a statesman of the highest capacity after that policy had been embarked upon (that is the policy of granting to the Dominions complete autonomy) that it was an absolute mistake, that it could only lead to the weakening and severance of relations, and that it would have been a wise policy to preserve in the United Kingdom control of the natural resources of the Dominions, and control over their fiscal policy; that this would have tended to unite the Empire, and regret was expressed that some such policy had not been maintained. All of us in the Dominions, and I think the people of the British Isles, realise now that any such policy would have had most unfortunate and, more than that, disastrous results. The policy which was supposed to weaken the Empire has really strengthened it, and I look forward to a development in the future along the line of an increasingly equal status between the Dominions and the Mother Country. It seems to me that the attainment of full citizenship, which involves a voice in foreign relations, will proceed along the line to which I have alluded. The nations of the Empire are really bound together by the tie of a common allegiance, by like institutions and ideals of democracy, and by like purposes. Such ties will bring the nations of the Empire together more closely upon the line which I have mentioned. I say this with a full understanding that it is unwise, having regard to the lessons of the past, for any of us to predict absolutely the developments of the future. But, nevertheless, the line of development which has been noticeable during the past twenty or twenty-five years seems to point unmistakably to that conclusion. Indeed, the action of the Dominions in this war has made the spirit of nationhood splendidly manifest. The fact that one million men in the Dominions have taken up arms for the defence of the Empire's existence and the maintenance of its future influence is so significant a lesson that one would be unwise not to have it constantly in mind. I believe that the Dominions fully realise the ideal of an Imperial Commonwealth of United Nations and one should not forget the importance of the Crown as a tie between the



Sir ROBERT BORDEN—*cont.*

Dominions and the Mother Country. His Majesty King George V. is especially associated with the Oversea Dominions, because he is the first Sovereign who, before he ascended the Throne, availed himself of the opportunity to visit all parts of the Empire and to make himself acquainted with the ideals and aspirations of their people. And the Queen was recognised throughout the Dominions of the Empire as distinctively a British princess before her marriage to the King.

Now the subject of the future relations of the Empire is not only an important but a very complex one. I would not make any conjectures beyond what I have said as to the ultimate solution. It is manifest, I think, that under the present conditions it would be unwise for this Conference to attempt to enter upon that subject. I hope that the delegation which will come to the next Conference from the Dominion which I have the honour to represent will be representative of all political parties. A subject of the vast importance which is involved in the consideration of future inter-Imperial relations would seem to demand that condition if it is to be approached in a proper spirit, because we all agree, I am sure, that so great a question ought not to be made, either here or in the Dominions, a question of party strife or party controversy if it can possibly be prevented.

There has been a very remarkable advance even since we arrived in the British Islands; it is a development which has greatly impressed me, and it seems to be due to the force of great events rather than to any premeditation or design. The fact that an Imperial War Cabinet as well as a British War Cabinet are sitting in London to-day is in itself of great significance. There may be possibly some guidance in that step for the future relations which will give to the Overseas Dominions their proper voice in the great matters which I have mentioned. However, it would be unwise to attempt to forecast. The Resolution which I have proposed does not attempt to do so: it merely proposes that a special Imperial Conference shall be summoned as soon as possible after the War; and it does at the same time place on record the view of this Conference that any readjustment of relations must, in the first place, preserve all the existing powers of self-government and complete control of domestic affairs, that it must be based on a complete recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and must fully recognise their right to a voice in foreign policy and in foreign relations. The willing acceptance of that principle by the Mother Country is an immense stride in advance.

I have had the advantage of discussing the terms of the Resolution to some extent with my colleagues round this board, and I have made them all acquainted with the principle which is embodied in the Resolution. I hope that it may commend itself to their judgment. I hope further that the Conference to be summoned will approach its deliberations and frame its conclusions on the lessons of the past, so that the future structure of the Empire may be erected on the sure and firm foundations of freedom and co-operation, autonomy, and unity.

CHAIRMAN: Do you move that Resolution now?

Sir ROBERT BORDEN: Yes, I move the Resolution.

CHAIRMAN: It will not be necessary for me to read it again.

Mr. MASSEY: I will second that formally, if it is necessary to second it, and in doing so I will say that I agree thoroughly with almost every opinion that Sir Robert Borden has expressed in moving the Resolution which is now before the Conference, and I agree with him particularly in the opinion which is really expressed in the Motion itself, that at a time like this, when the statesmen of the Empire are engaged in carrying on our share of the most serious war which has ever occupied our attention and when the subject of the War is occupying nearly the whole of the attention of most of the thinking people of the British Empire, it is impossible to take in hand such an important question as the "Reorganisation of the Empire" and, as



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expressed in the Motion, "the readjustment of the constitutional relations of its component parts." That will have to stand over, so far as this Conference is concerned, until the War comes to an end, and until a more representative Conference can be got together than the present one. Personally, I should like to see a much larger Conference convened for the special purpose which Sir Robert Borden has in view, and I should like to see it representative not only of the Governments of the different Dominions and of the different parts of the Empire, but I should like to see it representative, if it is possible so to arrange it, of the different parties in the different Dominions of the Empire. If we are going to raise this question above party—and I think in its importance it is far and away beyond anything in the way of party politics—then we must give the different political parties in the Empire the opportunity of coming together at the Council Board and expressing their opinions, and, if their opinions are thought worthy of being adopted, that opportunity should be given by the other members of the Conference which it is intended to convene. When I say the parties, I am not referring to all the parties, because there may be small parties that it might not be necessary to have represented; but I am thinking of the more important parties, such as we understand them in the different countries. I know this is not a new idea, and I know that something in this way has been suggested at previous ordinary Imperial Conferences, although, so far as I can recollect, it was not given effect to to any extent, if at all.

I thoroughly agree, too, with the point Sir Robert Borden made when he stated that in these matters we have to look forward and we have, in particular, to be guided by the lessons of the War. I hope, Mr. Long, that point will be borne in mind when the Conference meets, and especially with regard to population. I have not the very slightest doubt that Sir Robert Borden was right in saying that there are people now living who will see a larger population in the different Dominions than the population of what is called the United Kingdom to-day; I have no doubt that will be the case. I believe a very important migration will take place when the War comes to an end which in the ordinary course will have its effect upon the different Dominions; and this War itself has directed the attention of people in every part of the United Kingdom to the possibilities of the Dominions. I will not argue further on that line because, as a matter of fact, there is another Motion in the Order Paper standing in my own name which will give a better opportunity for discussing it, but in the main I agree with the opinions expressed by Sir Robert Borden.

Then the Prime Minister of Canada also referred to the necessity for considering and maintaining—I will not go to the length of saying complete, but, the existing autonomy of the different parts of the Empire. In any arrangement that may be made in the future for the closer unity of the different portions of the Empire and for drawing them more closely together and keeping them together, I am quite certain it is necessary to make the ties that hold the different parts together as easily carried as it is possible to arrange. A great statesman who lived one hundred years ago or thereabouts and whose name frequently comes up in matters of this kind expressed the opinion, looking forward even from his time, that if the different parts of the Empire were to be kept together the bonds to hold them would need to be "while stronger than steel as light as silk." Whatever bonds may be arranged will have to be arranged in such a way that they will not chafe and not seriously inconvenience British citizens in any part of the Empire.

Sir Robert Borden referred to our fiscal arrangements. Here particularly, and I mention this now with the object of placing my opinion on record, I think it is not desirable for any Imperial organisation of the future, whatever form that Imperial organisation may take, to interfere with the fiscal arrangements of the different parts of the Empire any more than can possibly be helped. What I mean is that at present the younger nations of the Empire have the right to impose their own taxation in their own way and to collect their own revenue in their own way, and those rights, particularly, should not be attempted to be interfered with, because I am certain that any such interference would lead to very serious friction and probably put this movement back for perhaps many years to come, and none of us desire to



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see that. Sir Robert Borden referred to the lessons of the past, and I think on an occasion like this there is not one of us who can forget what happened in connection with the breach between England and what were then the American Colonies a great many years ago. I hope that lesson will be borne in mind and that nothing of the sort will ever happen again in the history of the British Empire; but if it is not to happen, then a crisis such as that which led up to that very serious trouble and to the breach which followed must be avoided.

Speaking on this point, of course the question will be asked, "How is any such organisation in the future to find money for carrying on the business of the Empire?" Well, personally I do not think it is a difficult question to answer, because I am confident that for the purpose of carrying on the organisation, and for Imperial purposes generally, when the different Dominions, or different parts of the Empire, as the case may be, are asked for their share of the finance, and their share of the capital required, the necessary capital will be found, and will be forthcoming; only, as I said before, each part of the Empire must find it in its own way.

In the case of war and in the case of the possibilities of war we cannot forget that the present arrangement, loose as it has been, has worked very well indeed. Each part of the Empire has found troops, some of them have found ships, in proportion to their wealth and in proportion to their population, and I believe that arrangement may be continued with advantage to the whole of the Empire, and with benefit to the whole of its citizens. I know that numberless opinions have been expressed upon what ought to be done, innumerable pamphlets have been written and innumerable speeches have been delivered, and I am bound to say that all these writings and all these speeches and all these changes of opinion which have taken place during the last dozen years, particularly since the War commenced, have done a very great deal of good, inasmuch as they have set the population of the Empire thinking, and they have impressed people who had never studied the question previously with the potentialities of the Oversea Dominions and with the necessity of taking advantage of the present opportunity to bring the different parts of the Empire more closely together than ever before, and to bind them in such a way that they will not be likely to separate for many centuries to come, and I trust that they will never separate. Suggestions have been made at different times that we should at once consider the question of an Imperial Parliament dealing purely with Imperial questions and leaving local matters, or provincial matters (according to the manner of expression), to be dealt with by provincial or local legislatures elected for the purpose. I believe, and I have expressed this opinion previously publicly and otherwise, that such an arrangement will develop in course of time, but I do think that it would be a mistake at the present juncture to attempt too much. This matter is far too important to attempt to bring it rapidly into operation. I believe that every step that we take as citizens of the Empire in this connection has to be thought out very carefully before it is taken. If not, then we are likely to make mistakes and the present generation may not see any further advance than has been made up to the present.

A very great deal has been said in favour of an Imperial Parliament, and in theory there is not a very great deal to be said against it, subject to the limitations about which I have already expressed an opinion, that is the limitations particularly with regard to preserving the autonomy of the different parts of the self-governing Dominions of the Empire. There are others who think—and I have heard this opinion expressed—that the present arrangement which gives the Dominions a representation in the Cabinet of the Empire is a good one; and it is a good one; I thoroughly agree with that. Many people think that should be sufficient for quite a long time to come and that it should be continued, and I will offer my own opinion upon that point presently. I think that even this advance is far more important than many of the people in the different parts of the Empire have up to the present realised. I think that when the Dominions were asked to send representatives from their Legislatures, from their Governments, to the Imperial War Cabinet, it was one of the most important events that had ever taken place in the history of the British Empire, and I am confident that posterity will look upon it



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from that point of view, and, speaking for myself, I appreciate fully everything which has been done.

And just let me say here, in case I forget before I bring my remarks to a close, that I would like to suggest that this Imperial Conference should express an opinion to the effect, or make a recommendation to the effect, that the present arrangement should continue until the Conference which we are all of opinion should be convened for the purpose mentioned in the Motion has met, and until the new arrangement, whatever it may be, comes into operation. As an Imperialist I feel somewhat strongly on this point. As Imperialists we have gained a very great deal. I know that public opinion in Britain and public opinion in the Dominions is in favour of going forward rather than going back, and I express my own personal opinion when I say that it would be a retrograde step if we allowed this Conference to come to an end without expressing our appreciation of what has been done in the way of representation of the Dominions, and expressing our opinion in favour of the present representation continuing until something better has been agreed upon and has come into operation.

Then there is another school, who advance the theory that anything in the way of an Imperial Parliament will not be likely to work so well as something in the way of what is called an Imperial Council—again, of course, representative of the different Dominions—which would not have the powers that would be possessed by the Imperial Cabinet, but which would meet annually, say, and which would deal with all matters of Imperial importance, and would in its turn make representation to the Parliaments of the different Dominions and to the Parliament of the United Kingdom itself.

My own idea is, that if we can make such arrangements as will allow the present representation of the Imperial Cabinet to continue, even when the War comes to an end, if we can also along with that have a representative Imperial Council, then, I think, a very great deal will have been done and a very long step forward will have been taken along the road on which we are so anxious to travel. The Imperial Conference, which has been in the habit of meeting every four years, and which in itself I am bound to say was a very important advance, admitted the right of the Dominions to be consulted in connection with Imperial affairs. But something more than that is required at present, and something more than that must result from the position the Dominions have taken up during the present War.

Speaking of the present War, I may say I am not one of those who think that the Dominions came into the War simply to assist what we are all pleased and proud to call the Mother Country. I do not look at it from that point of view at all. We came into the War as Oversea Dominions of the Empire because we are part of the Empire and because the Empire to which we belong was being attacked, and if we had not come into the War in the way that has happened and which we are all proud of and pleased with—and let me say here not one of us would go back upon it—I have no hesitation in saying that as British citizens and as citizens of no unimportant parts of the world now, and which are likely to be much more important in years to come, we should not have done our duty. We are glad to think that as a result of what has taken place, instead of, as many people imagined would be the case, that at the first shock of war the Empire would go to pieces, there is a better spirit throughout the Empire to-day than has ever obtained in past years at any time in its history; and I am glad to include in that the Empire of India which is represented at this Conference, and which I believe will be represented at any Conferences to consider Imperial affairs that may take place in the future. Sir Robert Borden when speaking used a term which implies a very great deal. It is a term which I have used myself on more than one occasion, and a term with the use of which I thoroughly agree, and that is the term “United Nations.” We are coming together, not, as used to be considered, as the United Kingdom with its dependencies. That is not the position to-day. We are coming together as United Nations of the Empire and on equal terms so far as the populations of the different parts of the Empire will allow.

I was pleased to hear the reference of Sir Robert Borden to the Monarchy. The subject of form of Government is occupying the attention, in view of recent



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happenings, of liberty-loving people all over the world. There is no doubt that something in the way of more democratic and more representative forms of government is in the air; it is in the atmosphere, so to speak, and we cannot get away from it; but in case there should be any misapprehension in the minds of people who are interested in this Conference or who may think it worth while to read the proceedings or the records of this Conference in the future, I would just like to say that I, speaking as a British citizen, believe that the British Empire has to-day probably the freest and most progressive form of government that the world has ever seen. We do not propose to go back upon that in the very slightest. But following up that point I would just like to say that, in my opinion, the British monarchy is the keystone of the Imperial arch. I do not need to elaborate that point, but when I express that opinion I think it speaks for itself, and I am quite certain in expressing it I have expressed an opinion with which every member of this Conference will agree.

I do not think I need to say any more on the subject except just this, that one of your great British statesmen and poets made the statement that the British Constitution had broadened down from precedent to precedent. Precedents are now following each other in rapid succession. History is being made very rapidly, and I have no doubt as time goes on and if we take advantage of the opportunities that offer—and they are offering now—we shall be able to arrange the Constitution which, as public men representing important parts of the British Empire, we are privileged to deal with, in a way which will provide for the future possibilities and the future wants of the great Empire to which we belong.

I would like to suggest to the Conference and to Sir Robert Borden that he should include in, or consent to be added to, his motion something on the lines I have already referred to. I had drafted a motion, but, as a matter of fact, I had forgotten that this matter was coming up to-day and, therefore, I was not prepared to speak upon it, and perhaps the opinions I have expressed have been somewhat disconnected in consequence, but the one ideal I have in mind, which I am going to suggest to Sir Robert Borden and to the Conference, is that something in this way should be added: "That until such Conference"—that is the special Conference contemplated—"has met, and arrived at its conclusions, this Imperial War Conference recommends that the present arrangements by which representatives of the Dominions and of India occupy seats in the Imperial Cabinet shall continue."

I second the Resolution if it is necessary.

CHAIRMAN: This Resolution is proposed by Sir Robert Borden and seconded by Mr. Massey. Does any other member of the Conference desire to say anything before the motion is put?

General SMUTS: I should like to say a few words, if I may. I need hardly point out that this is far and away the most important point on the agenda of our Conference this time. The British Empire is the most important and fascinating problem in political and constitutional government which the world has ever seen. Whenever we come to this question of a proper constitution for this Empire we touch on the very gravest and most important issues. As a matter of fact we are the only group of nations that has ever successfully existed. People talk about a league of nations and international government, but the only successful experiment in international government that has ever been made is the British Empire, founded on principles which appeal to the highest political ideals of mankind. Founded on liberal principles, and principles of freedom and equality, it has continued to exist for a good time now, and our hope is that the basis may be so laid for the future that it may become an instrument for good, not only in the Empire but in the whole world.

The subject-matter of this Resolution, as Sir Robert Borden has stated, has been carefully considered, and although, quite properly, a definite decision on the main problem is to be postponed for future action by a more important Conference than this, yet certain principles are affirmed here in this Resolution which are very important and far-reaching. The Resolution refers in the first place to the question of the status of the Self-governing Dominions. That matter has already been referred to both by Sir Robert Borden and by Mr. Massey, and I wish to say a few words in



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reference to the point. The Resolution says that any future settlement that is come to must "be based upon a full recognition of the Dominions as autonomous Nations of an Imperial Commonwealth." The whole question of the future status of the Dominions is therefore raised in this Resolution. So far the British Empire has developed along natural lines. The Dominions started as Colonies and as settlements of the Mother Country and of the British Isles. They started as Crown Colonies; they developed into Self-governing Colonies, and now they have become the present Dominions. Other parts of the world have been added to the Empire, until to-day we have really a congeries of nations. These old Colonies and the present Dominions have in course of time increased in importance, increased in population, and in economic importance, and are to-day already playing a part in the world which seems to my mind to make it very necessary that their status should be very seriously considered, and should be improved. Too much, if I may say so, of the old ideas still clings to the new organism which is growing. I think that although in practice there is great freedom, yet in actual theory the status of the Dominions is of a subject character. Whatever we may say, and whatever we may think, we are subject Provinces of Great Britain. That is the actual theory of the Constitution, and in many ways which I need not specify to-day that theory still permeates practice to some extent. I think that is one of the most important questions—one of the most important matters—that will have to be dealt with when this question of our future constitutional relations on a better and more permanent basis comes to be considered. The status of the Dominions as equal Nations of the Empire will have to be recognised to a very large extent. The Governments of the Dominions as equal Governments of the King in the British Commonwealth will have to be considered far more fully than that is done to-day, at any rate in the theory of the Constitution if not in practice. That is the most important principle laid down in the second part of this Resolution, that there should be "a full recognition of the Dominions as autonomous nations." And to strengthen the point the Resolution goes on to affirm that the existing powers of self-government should not be interfered with. Of course there is a good deal of feeling of natural and justifiable jealousy in the Dominions as to the rights which they have acquired and which they do not like to be tampered with, and, naturally, I think it is very wise to add this to the Resolution, that their existing powers of self-government should not be tampered with. If that is so it follows that one theory, one proposed solution of our future constitutional relations, is negatived by this Resolution. If this Resolution is passed, then one possible solution is negatived, and that is the Federal solution. The idea of a future Imperial Parliament and a future Imperial Executive is negatived by implication by the terms of this Resolution. The idea on which this Resolution is based is rather that the Empire would develop on the lines upon which it has developed hitherto, that there would be more freedom and more equality in all its constituent parts; that they will continue to legislate for themselves and continue to govern themselves; that whatever executive action has to be taken, even in common concerns, would have to be determined, as the last paragraph says, by "the several Governments" of the Empire, and the idea of a Federal solution is therefore negatived, and, I think, very wisely, because it seems to me that the circumstances of the Empire entirely preclude the Federal solution. Here we are, as I say, a group of nations spread over the whole world, speaking different languages, belonging to different races with entirely different economic circumstances, and to attempt to run even the common concerns of that group of nations by means of a Central Parliament and a Central Executive is, to my mind, absolutely to court disaster. The experiment has been tried in the United States and, it is said, with great success. Well, of course, the experiment in the United States has not lasted very long, and we must see whether it will continue successfully under the stress of the great experience into which America is now entering. But I am now informed by those who are very close observers of American government and American institutions that they are certain that the experiment has reached its utmost limits. In that case you have a compact country, a compact half continent, where people live together, where they all go through the same mould, and where they are all formed more or less on the same lines; whereas in this Empire you have an entirely different state of affairs. The young nations are developing on



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their own lines; the young nations are growing into Great Powers, and it will be impossible to attempt to govern them in future by one common Legislature and one common Executive.

Then if we are to continue as nations and to grow as nations and govern ourselves as nations the great question arises: How are we to keep this Empire together? That is the other important point, I take it, in this Resolution—the point which recognises that there should be effective arrangements for continuous consultation in all common concerns, especially in concerns which are mentioned there specifically, that is foreign policy; but in all common concerns that there should be effective arrangements for continuous consultation. Setting aside the Federal solution as not applicable to this Empire, which is not merely a State but a system of States, half the world in itself—setting aside that solution, the question arises how you are to keep the different parts together? and it can only be done on the basis of freedom and equality which has existed hitherto, only the machinery would have to be arranged on which that system could be worked. I think it will not pass the wit of man to devise ways of continuous consultation—not intermittent, not every four years as we have had hitherto, but continuous consultation. Sir Robert Borden has pointed out in that great speech of his at the Parliamentary dinner—one of the finest speeches I have ever listened to, and one of the wisest I have ever listened to—that a practice which has now arisen spontaneously of a double Cabinet may in the future provide the germs of a solution. I express no opinion upon that, because very intricate constitutional questions are bound up with that, and it is quite possible to arrange this system of consultation and continuous Conferences even on a different basis and yet to make it perfectly workable and feasible as a means of keeping the different parts of the Empire together. It seems to me that some such machinery will have to be devised and that it will not be difficult to devise it once we come to sit round the table and discuss the matter carefully. In that way it will be possible, while leaving full executive action to the various more or less equal Governments of the Empire, while leaving full executive responsibility to them, to see that in all important concerns there is consultation and continuous consultation; that there is an exchange of ideas and that the system, whilst preserving freedom and equality in its parts, will work with a strong sense of unity at the centre.

I think, if this Resolution is passed, Sir, we will have taken an immense step forward in the history of the Empire. If we pass no other Resolution at this Conference than this one, I am sure that we will have done a good day's work for this Empire. We are emerging out of one era and we are entering upon another where much greater problems will confront us than ever before. So far it has been possible for us each to go his own way, meeting once in so many years. In future it will be necessary for us to keep much more closely in touch with each other.

These are the principles which are affirmed in this Resolution, leaving the actual solution of our constitutional problem to be dealt with hereafter. Those are the principles which are affirmed here, and I heartily endorse them and give my adhesion to this Resolution as it stands here.

Sir EDWARD MORRIS: I should like to add my support to this Resolution. I would like to say that, through the courtesy of Sir Robert Borden, I have had an opportunity of carefully studying the nature of the Resolution, and I think it would be wise, probably, at the present time not to go beyond this Resolution. Certainly this is not the time to discuss any changes in connection with the relations which exist between the Dominions and the Mother Country, and I think the proposal to postpone the further consideration to another Conference rather a good one.

It appears to me that the position before the War was this: All the Dominions had complete autonomy, even practically to the question of Treaty making, and if they were not consulted and had no part in the question of defence and in the question of foreign relations, it was because they did not contribute. The whole cost of running the Empire from a defence standpoint and from the foreign relations standpoint, and everything in relation to the acquisition of new territories and new States for the Empire, was accomplished out of the Imperial Exchequer. But in all other matters the Colonies as they have been termed, the Dominions, have enjoyed the



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full benefits and advantages of responsible Government, and that has been year after year broadened out. The question then comes whether these scattered Dominions, these wide-flung possessions, can be brought closer together from a constitutional point of view. This Resolution does not call upon us to consider that question. We are here now taking part in the proceedings of the Imperial War Cabinet, and we have been invited here to take part in the discussion of the terms of peace, principally, I take it, in consideration of the part which the Dominions have taken in this War. Whether it would be wise to alter this Resolution by Mr. Massey's suggestion to continue the present system would require, I think, a good deal of discussion and consideration, because, after all, whilst we are advising in relation to these serious problems in connection with the terms of peace and the carrying on of the War, we have no constitutional power to bind the Parliaments that we represent. I do not mean by that to say that the various Parliaments in the various Oversea Dominions would not gladly endorse anything that might be done here. It all comes down to the mere question of finding some machinery which in a permanent and responsible form will continue what is now being done by the War Cabinet, if that is desirable.

In the past Conferences, some of which I have had the advantage of taking part in myself, this very question came up about an Imperial Parliament and an Imperial Council, but there were always very grave difficulties in the way of establishing anything of a permanent character, and it seems to me now that this Resolution whilst, as General Smuts has very wisely pointed out, it affirms, if necessary, the present position of the Dominions as regards their authority and autonomy and control over their own affairs, leaves it open to some future Conference to discuss the possibilities of having some machinery in the nature of consultation to deal with questions of foreign policy and the defence of the Empire.

I was very glad that Sir Robert Borden in his opening remarks referred to the position to-day of this country in its relation to the monarchy, especially in view of the changes which are taking place in other countries. Some of us who live near republican institutions and have had opportunities of studying others, I think will agree that the monarchs in this country, at least the late Queen Victoria and King Edward as well as the present monarch, have made it possible for us, whilst admiring some of the principles in republican institutions, to still continue to believe in the wisdom of monarchical institutions. One thing it gives us, at least, and that is an appeal. Every subject has an appeal to the Chief Magistrate of the land, who is not a party-politician and who is not placed in the position he holds by any party or by the funds of any party, but stands as the representative of all, and rarely in this country interferes in any matters except in the interest of the public and as between the public and the legislators. For that reason I have very much pleasure in supporting the Resolution as proposed, with the slight amendment which I understand is to be proposed later in relation to the great Government of India.

Sir SATYENDRA SINHA: Sir, I should like, while supporting this Resolution, to make what I consider to be a merely verbal alteration, because I am certain that it could not be intentionally meant to exclude India, especially after the Resolution which this Conference has already passed. I therefore propose that we should add to the Resolution, in the second paragraph, after the words "upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth," the words "and of India as an important portion of the same." The Resolution was drafted, of course, with special reference to the Self-governing Dominions, but, as I said, it could not have been intended to exclude India from participation in the arrangements which are recommended for the purpose of representation in foreign policy and in foreign relations. The foreign policy and the foreign relations of the Empire are to a very large extent concerned with India, and, therefore, it is only right that India should be represented in all consultations for the purpose of dealing with such foreign policy and foreign relations. As a corollary to that amendment I propose another consequential one, namely, that instead of the words "should recognise their right to an adequate voice in foreign policy and in foreign relations," in order to make it perfectly clear we should say "in order to recognise the right of the Dominions and of India to an adequate voice in foreign policy,"



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and so on. It is with some diffidence that I address the Conference and ask for this amendment to be made, but I do so principally on the assurance that it is bound to be acceptable, having regard to the attitude of the Conference already with regard to India.

I do not desire to take up the time of the Conference with anything further, except to say that I wish to associate myself on behalf of India with the sentiments that Sir Robert Borden expressed with regard to the monarchy. India has in a peculiar degree a sense of loyalty to the person and throne of the monarch in England, and it would, therefore, give the greatest satisfaction to my countrymen that this Conference should unequivocally express its declaration that the monarchical form of government, as it is, is the best suited to the requirements of the Empire.

Sir ROBERT BORDEN: Mr. Chairman, I merely want to say that, so far as India is concerned, I accept most willingly the proposed amendment, and I am very happy to do so. Indeed, through the presence of the Secretary of State for India in the British Cabinet, India already has had perhaps a greater voice in foreign relations than the Overseas Dominions. It would seem entirely appropriate, therefore, that the Resolution should receive this amendment, and I have no doubt, under the circumstances, it does not amount to more than a verbal amendment. We hope to come into a new relation with the Mother Country, which will give us a voice that has been wanting in the past so far as we are concerned, and which, for the reasons I have mentioned, India has perhaps enjoyed to a certain extent.

Might I just say one word with regard to the proposed amendment suggested by Mr. Massey? I do not know whether or not that may be necessary. If there should be an announcement, as I understood there would be, by the Prime Minister of the United Kingdom that the present arrangement with regard to the Imperial Cabinet will be continued until the end of the War at least, I have no doubt that he might be willing—but, of course, I am not sure about this—to include in his announcement the proposal that it will be continued until the Conference which is to be summoned has reached its conclusions. Perhaps the Chairman of the Conference will be able to tell us whether or not it is probable that some such announcement will be made.

CHAIRMAN: I think it better to reserve that until Thursday, when the Prime Minister will make his own statement, as it may not be quite right to anticipate the statement which he will make. I would suggest that the wider extension, if it be a wider extension, on that point should be left until Thursday, rather than added to this particular Resolution. After Thursday we can raise it again in the Conference, if necessary.

Mr. MASSEY: I am quite willing that this point should stand over. Whether the Prime Minister makes that announcement or not (it is to be hoped, after what you have said, that he will), I think we, as representatives of the Dominions, should express our appreciation of the very important change which has been made. I leave the matter for the present.

Sir ROBERT BORDEN: We could, if necessary, pass a distinct Resolution.

CHAIRMAN: I will now put the Resolution as amended. I understand the Prime Minister of Canada accepts the amendment, in which case it would run after the word "Commonwealth" "of an Imperial Commonwealth and of India as an important portion of the same." The next amendment is to leave out the words "their right" in the following line in order to insert the words "the right of the Dominions and of India."

Mr. MASSEY: I do not know whether this is the proper time for me to raise the other point.

Sir JOSEPH WARD: I want to speak on the main question.

Mr. MASSEY: I do not think we have stuck strictly to the proper order in these proceedings, and, I think, properly so. With regard to making the Conference more representative, is this the time for me to raise it or should that stand over until after the formal Debate is concluded?



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CHAIRMAN: If you want to move an amendment to this Resolution, would it not be convenient to carry this Resolution in its present form, as amended to include India, and then discuss as a separate question, if necessary, the constitution of any future Conference?

General SMUTS: That is a separate question.

Mr. MASSEY: Very well, so long as it is understood that I propose to raise it, that is all I care about.

CHAIRMAN: Certainly.

Mr. MASSEY: And that it will not have in any way lessened its chance of being agreed to by being held over.

CHAIRMAN: Oh, no. Now, Sir Joseph Ward wants to make some remarks.

Sir JOSEPH WARD: I want to say a word or two on this very important matter, Mr. Long. This Resolution in itself is of extreme importance, but it proposes to defer the consideration of this question, as an indication that if there had not been a great war raging it would have been considered, it is not going to have what I would call a directing effect upon any men who may come to the next Conference, it is important because it affirms the desirability of a special Conference to deal with the matter after the War. I do not want in the least to derogate from the importance of what Sir Robert Borden has done, which was excellently supported by him in his remarks, and I recognise that his explanation of the matter was very clear. I am one of those who do not regard this question of autonomy, which has been raised from time to time, as of any importance from the point of view of its being interfered with. It is not possible for anybody to interfere with the self-government of any of the oversea countries, or the power of local autonomy which they possess, unless the people in each of these self-governing countries, through their Governments, do it themselves; and in the discussion of any system which might be created with a view to governing Empire matters, not the internal affairs of the Empire, as I infer from General Smuts's remarks he fears, but the overriding vital Empire matters that the local Governments cannot deal effectively with on their own account and of their own action, I regard the proposals as of supreme importance from the point of view of having some organisation in existence that is going to be able to do the things that the individual countries cannot do themselves.

As a representative man, I for one would not be a party to anything done at any Imperial Conference which would in the least interfere with the legislative powers of the respective portions of the Empire either fiscally, for taxation purposes, or for local internal defence purposes. I would not be a party to that, and so far as it was in my power in my own country I would move heaven and earth to stop the people from being committed to any course that would bring about such a result; and it has not been suggested at this Conference that anything of the kind should be done. I would do all in my power to prevent the people from being committed to a line of action which would in the least abrogate their rights through their representatives of doing anything and everything in connection with the local affairs of their country that they have the power to do now, and that power should not be weakened in the slightest possible degree.

I want, while subscribing absolutely to the proposal here, to put on record that there should be no interference with the local autonomy of the oversea countries. I say that no power on earth except themselves and of their own free will can do so; the British Parliament cannot do it. No one can interfere with the local autonomy of South Africa, Australia, Canada, New Zealand, or any other portion of the self-governing Dominions unless they each separately so decide. That power remains under the Constitutions which they have within the rights of their own representatives and of their own people, and no British Government could move in the direction of weakening the power of local autonomy or self-government of any one of those countries unless they were asked in a proper constitutional way by the Governments of those countries to do so.

In discussing any future system which may be created for the purpose of dealing with the rapidly changing conditions within the Empire, we ought not to allow



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it to go on record and to allow sensitive or nervous people (and there are millions of them in the world, unhappily) to have the impression that in any future constructive machine which may be created we are going to weaken the powers which any portion of the Self-governing Dominions possesses now, because we are not, and I want to make that position perfectly clear. Having said this, I am not going to deal with the bogey of local autonomy any further on this occasion.

I do not believe it is possible for the development that is going on in the British Empire to continue satisfactorily unless there is a material change made by those who are responsible both in this country and in all the oversea countries upon two matters particularly. Those two matters stand out as of the first consequence. If they were not required to be provided for, there would be no need whatever for having an Empire Parliament or an Empire Council or representation from any of the oversea countries in an Imperial War Cabinet at the heart of the Empire at all. Those are the two vital questions of foreign policy and of naval defence. I may hold a different opinion to any other member of this Conference on one point to which I wish to allude, but I would oppose with all the power I possess in our portion of the Empire any interference whatever with our right to raise and to control our own system of internal defence. I do not look upon it as an essential for the future government of the British Empire that any overriding authority created constitutionally should either have the right, or be given the power, to interfere with the creation of a local army or armies that may, either now or in the future, be required to be raised in any portion of the Self-governing Dominions, either for their own internal defence or for that part of external defence, by co-operation in times of Empire trouble or Empire requirements with the British army abroad. I do not look upon it as a necessity, or even as desirable, that any power should be transferred from the respective Governments to the central Government which would give them the least right to interfere with the control and disposition of the men who are raised for army purposes within the respective portions of the British Empire. Now I say that for this reason. Unless those who are responsible for sketching the proposed Constitution, even although it may be of a loose nature, at some future Conference or future Conferences—because I do not believe for a single moment that this is going to be settled at one Conference—are prepared to recognise that, I do not believe it is possible in practice for any of these oversea countries to give away the power of controlling their own land forces to any Empire Council or any Empire Parliament or any Imperial War Cabinet even with representatives upon that War Cabinet from any part of the British Empire. That must rest entirely with the local Government both in Britain and in each of the Oversea Dominions. There is also the question, and you cannot get away from it, in this country and in all parts of the Empire, of pride in the individuality of the men who form the army in the respective parts of the Empire, and there is nothing in the wide world can remove the sentimental power attached to that feeling. If it were not to-day for the feeling of pride that the Canadians have in their men, that the South Africans have in their men, that the Australians have in their men, that the New Zealanders have in their men, that the Indians have in their men, that the Pacific Islanders have in their men, and that the Crown Colonies have in their men individually, you would not have that powerful direct incentive to their creation (and sending to foreign lands) of powerful armies to be accessories to the fine, powerful, courageous, British Tommies that in co-operation with the others are helping with our Allies to maintain our very existence at this moment.

If there was a proposal carried at a succeeding Conference to include local land defence, and to put the power of framing a concrete army for Empire purposes under an Empire Parliament, I personally would strongly oppose it in our country, and would do everything in my power to prevent it coming into operation, because I believe it would be a very undesirable thing to do. It would be one of the first things that would impress the people in these countries with the feeling to which General Smuts gave expression. While all belong to one common Empire, there are different races; there are different ideals permeating the minds of the people in the different portions of the Empire. If the feeling were implanted in the minds of even the coloured races in some of the oversea countries that the power of dealing with the army was going to be transferred in some way to a central authority, however



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necessary it may be to have a central authority created, then, in my opinion, we would commence to have a backward wave set in against any proposal in the direction of doing what is otherwise essential for the future preservation and for the future solidarity of the Empire as a whole. I want to make it quite clear that whatever may require to be done as soon as possible after the cessation of hostilities, to which Sir Robert Borden in his speech has referred, there ought to be a clear understanding expressed by this Conference, so that we may have an opportunity in our own country if the need arises of discussing it before another Conference takes place. There should be an indication given by this Conference as to what it is intended that we should come to a round table to consider, at a future Conference, and such could be handed over to any organisation, be it a loose or even a constituted one. In my opinion, Mr. Long, unless there is some common understanding about that, we are going back to our respective countries with only the general idea which exists, as Mr. Massey has pointed out, in speeches, pamphlets and books where there are all sorts of ideas which have been given expression to by different people regarding this matter. We shall be going back practically in a state of generalisation without being able to give the least indication to anyone of what it is the next Conference is to be called upon to consider in connection with this all-important matter. But for the exigencies of the situation at the present moment, due to this great War, this horrible War, but for the impossibility of members of the British Cabinet, particularly, and of the Oversea Dominions representatives too, because they have to get back to their countries concentrating their attention on any other subject but the War; but for the needs of all the different nations and the necessity for their devoting their attention wholly and solely to war matters and to winning the War, this matter should be considered now. There is nothing standing out of greater importance at the present moment than the consideration of such proposals as Sir Robert Borden has indicated for the purpose of maturing them to some extent, because when they are matured to the extent of being carried at a Conference or Conferences, or at a Convention or Conventions, they have then to go back, both to the British Parliament and to the respective Oversea Parliaments to be considered and ratified in each of these places; in fact, in all probability they will have to be sent to the people before the Parliaments can finally decide what is to be done with regard to any material alteration in the future constitutional organisation of the Empire. In my opinion, a conference in dealing with the readjustment of the Empire should deal in the main with two great cardinal matters, namely, Foreign Policy and Naval Defence and how to provide for the finance without giving the power of taxation to any authority excepting the local parliament in each part of the Empire.

I make these observations because I regard them as of sufficient importance for me to express my opinion upon them now. I want to direct the attention of this Conference to a position that may and must arise. If you expect to have any success from any decisions which may be arrived at at any future Conference, you must have unanimity, you must have at least the good feeling and the general support of all the important countries that will have representation at a future Conference and to get that each important political party should be represented. Now I want to call attention to this fact because it is probably more a matter for you, Sir, to consider in the Recess after this Conference rises, and it certainly will require to be known in all our countries: How are they going to vote when they come to this Conference—that is, men who are not members of the Government? It is right under existing conditions that countries should vote individually; that is, I think, the right course to pursue. But that will not exist when you have, as I think ought to be the case, men of the respective political parties coming from such enormous distances to go into the merits of the question who will not have a vote. That is not going to suit the representatives of the different parties here. For instance, if you had the Leader of the Opposition from Canada or Australia or any of the other Oversea Dominions, what are they going to do? Are they to remain at the Conference table without a vote? If you tell them they are to remain at the Conference table without a vote, they will not come. If you have the Leaders of the Opposition—and they ought to be here—from all portions of the Empire, including



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Great Britain, coming to a Conference for the purpose of considering matters of the most vital character to the people whom they represent and are expected to represent, then you are going to raise the question whether they are to be practically rendered dummies, except in words, from recording their opinions by voting upon matters material to the future of the Empire as a whole, and to their respective parts of the Empire, owing to the fact that existing conditions prevent them from having a vote. You might under those circumstances have carried at this Conference by a bare majority a Resolution which could never be put into effect in the countries concerned because if a strong and powerful minority determined not to give effect to what a small or bare majority had decided here, it would be absurd to suppose it would be agreed to in their own countries unless there was to a very large extent common assent. I want to endorse what Sir Robert Borden and Mr. Massey said on that point—I do not know whether General Smuts referred to it, for the moment, but I think he did not nor did Sir Edward Morris. If there is going to be what we all want, results achieved and good work produced from the next Conference, to which this Resolution is referred, then I personally am of opinion that the Leaders of the respective parties, unless they wish not to have the opportunity, should be here as well as the members of the Governments of the different countries. I think unless something of that kind was done it would be a herculean task for the Governments of the respective countries to expect to have cordiality or approbation or to remove friction.

Let me at once say that I am a strong advocate of an Imperial Parliament. I have studied the matter from every aspect, and I have considered it for very nearly thirty years, and I believe that if you want to prevent a weakening of the Empire in the years to come, and to have that growth of population to which Sir Robert Borden in his opening remarks rightly referred—if you want to have the growing populations in the oversea countries content—you must give them some voice in these matters with which alone an Imperial Parliament should have the right to deal. Those matters are—foreign policy, the right to have a say as to whether the people are to be plunged into war; the right to have a say in the terms of peace, and the right to have a say in what cannot be taken away from the Empire as a whole so long as it remains an Empire—the naval power necessary to meet the requirements of an Empire that is dependent entirely upon sea power for its existence. The details of the cost of maintaining a Foreign Office, or the attendant cost for upholding either of those two matters, would in the ordinary course of things require to come in. Still, I cannot for the life of me see (and I have considered it from every standpoint) how you are going to give any authority to a representative upon a Council, or to a member of a War Cabinet, to bind the millions of people in the oversea countries and in India (which I am very proud indeed to see included in this Resolution). I do not believe you will have a feeling of contentment, of rest, for many years in any of the Oversea Dominions or in the great Indian Empire, until you have some properly constituted Imperial Parliament with well-defined powers of dealing with those Empire matters to which I have just referred, the Imperial Empire matters, if one may use the term. There can be no question whatever of any interference with the power of each part of the Dominions—and of India, I hope, in the years to come—of having in their local parliaments the right to do whatever they think necessary for the benefit of their own people. As a matter of fact, Sir Robert Borden gave utterance to an expression with which I fully concur (I cannot repeat it word for word but it was to this effect), that he believed that as the development of the oversea countries takes place there should be a growing equality of nationhood—that is what I understood him to say.

Sir ROBERT BORDEN : Equality of nationhood.

Sir JOSEPH WARD : A growing equality of nations applicable equally to the Dominions as well as to the Homeland. I endorse that, and I agree with that sentiment absolutely. In practice, how are you going to put it into operation? Mr. Long, let me for one brief moment say what passes through my mind as I see the position and as I think it will develop in this country. I am not interfering with any of the domestic concerns of the Old Land when I allude to it. I have not



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attempted at any time to interfere with the domestic affairs of the Old Land on my visits to England while holding an official position, and I do not propose to do so now. But as part and parcel of the Empire we have to take into consideration what is going on here in so far as it is calculated to affect the whole Empire. Now what is Great Britain on the verge of doing? We see it in the public Press, we hear it from public men, and we hear it from the authority of the British Government. The British Government have agreed to materially change the franchise of the people in the United Kingdom. Among other changes women are to have a conditional vote. Does not that, at least indirectly, affect us people in the Oversea Dominions? Do we not realise that in the alterations which are being made here they are widening and broadening the whole basis upon which the Mother of Parliaments, in the House of Commons at present, rests, and that you are going to give wider power to men and to women in this country than they have ever had before? With the widening of that power to men and to women in this country, would it not be suicidal for any of us to believe that they are not going to throw still greater work upon the House of Commons than they have ever thrown upon it before? Our experience in the oversea countries, where we have evolved from a limited franchise to universal suffrage, has shown us all (and in practice it will be the same here) that the widening of the franchise, especially with the providing of a vote for women (even although it may be limited in this country), is going to throw upon the parliamentary machinery that has to carry out the work for the United Kingdom and Ireland, and the whole of the Empire work connected with the oversea countries as it stands at present, a greater burden of work than it can stand. If you throw an additional burden of work on the existing machinery here, then I want to know what prospective chances your own kith and kin in the oversea countries have of having purely Empire matters expeditiously dealt with. It is notorious that the machinery of the House of Commons has been clogged and has been inadequate for years. We all recognise that an immense amount of good has been done and an immense amount of assistance has been given to the oversea countries by the respective Governments of this country. We all recognise that at least for a good many years all the oversea countries have had the kindly ear of members of the House of Commons and of members of the House of Lords. But however well the work may have been done in the past, and however good the intentions may have been of those responsible in the past, in surveying the situation as it now exists in which we are deeply concerned and in which we are going to be more vitally concerned after this War is over as to what you are going to do for the government of the Empire, we cannot shut our eyes to the changes that are taking place in this Old World. I want to say—though I may hold this opinion alone, but I do hold it and I am going to express it—that unless the people in the Old Country, with whose future action we are vitally concerned, recognise that their machinery here is not competent to carry on the work of the Empire and of the Homeland at the same time, I do not believe that we will ever have satisfactory Government for dealing with these important Imperial Empire matters which is necessary for the future holding together of the oversea countries with the Homeland. I do not believe you will ever have it until you make up your mind that you are going to have an Empire Federal Parliament. In all probability the House of Lords and the House of Commons will remain for doing the work of your own people here, but there will have to be some alteration by which every section of people in the British Isles, including the English, the Irish, the Scotch and the Welsh, have got their separate Parliaments for their own local internal affairs, just as we have our separate Parliaments for our local and internal affairs, kept clear of these absolutely necessitous requirements of attending to the all-important Imperial Empire matters which mean the safety of the Empire as a whole and the keeping of it together. Each portion of the British Isles and those of the Oversea Dominions having representation in an Empire Parliament to deal with those matters common to and vital to the Empire as a whole. You are not going to get the work done with the clogged machinery under existing conditions. We are not getting it now, and you are not going to get it in the future until the time arrives when the United Kingdom of its own accord without any interference from the Oversea Dominions settles its own form of constitution within the British Isles. Until Britain has what I call Reconstruction at home—and



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the oversea countries look upon it as "home"—until the responsible people governing this country and the rank and file of the men in the Parliament of this country, and the rank and file of the people behind and outside the Parliament of this country, recognise that the present machinery which was so valuable in giving us our Constitutions and helping us to effect the colonisation which has been so valuable to the Homeland itself is changed because of the changing conditions which have been going on in the last fifteen or twenty years, unless they realise the changes are of such a nature that they cannot hope to give satisfaction either to their own people here or to our people abroad, until in some form or another they make up their mind that they will reconstruct at home, then and then only will there be any base upon which you will be able to raise a structure for the Empire that is going to keep the Empire for the English, the Irish, the Scotch and the Welsh, the South Africans, the Indians, and for all the people of the other dependencies of the Empire. I hold these views, and I feel that the freedom which has characterised all the meetings of this Conference warrants me in saying what I have on this important matter. I do not think you will be able to deal with the British Navy, or rather with the Empire Navy, satisfactorily until you have some Empire Federal authority, with proper representation from each national portion of the British Isles and of all the Oversea Dominions upon it, where the people in the respective parts of the Empire can have the continuous right, in peace time and in war time, of having a true representation of the people so as to ensure them a voice and say in those Empire concerns vital for the protection of all parts of the Empire.

I do not want to further elaborate the matter of the Navy. I feel limited in many observations I might otherwise make because of one thing which I think is a governing factor and has to be recognised by me, and that is, that, until we know what the British Admiralty consider desirable in connexion with the Navy, it is premature to discuss in what way it should be administered under any alteration which may be found necessary after the War to make. Therefore I propose to say no more upon that. I have made these remarks on the question of an Empire Parliament because I am of opinion that they do not present insuperable difficulties. I hold the opinion that events which will come along with great rapidity, if they do not force the hands of us who are now ruling in our respective countries, will, because of the necessities of both the Motherland and the outlying portions of the Empire, bring it up for consideration at an earlier period than perhaps any of us imagine at the present moment.

Having expressed my opinion upon that point, I want to say that I fully recognise that there is a gap, and a pretty wide gap, which must exist until something has been decided in the future as to what the system of the Empire Government or Empire Parliament, or whatever it is, is to be. I know it cannot be hurried or forced before it is ripe for settlement. In the interval the gap has, in my opinion, to be bridged, and I believe it can and should only be bridged temporarily. There are evolutions which are going on in the great Indian Empire which we all recognise, and the time has not yet arrived when they know what the length of the gap between the present and the future system will be as far as they are concerned. There are none of us here who know what the length of the gap is to be. The present unsatisfactory system is really no system except one of powerful goodwill, which has done such an immense amount to help the Empire as a whole in all its undertakings either in war or otherwise. In the interval there has to be something done to fill that gap which exists, and I am exceedingly sorry that that apparently is not going to be settled at this Conference. I believe, with Sir Robert Borden and Mr. Massey and with other speakers, that the change brought about by the goodwill of the Prime Minister of this country and his colleagues of inviting the representatives of the Oversea Dominions to the War Cabinet is a tremendous step forward. It appeals to the imagination of the people all over the Empire. It is not an imaginary appeal in the ordinary sense of the term that is being made to them; it is a practical appeal from the standpoint of consultation with the British controllers of the destinies of the Empire, which, after all, is the British Government. It gives us the opportunity of consultation, and that has appealed to the hearts of the people all over the British Empire, and in that respect it has, in my opinion, been a tremendous step



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forward. As I understood from Mr. Long that the Prime Minister is going to make some statement on the matter, I will only say that in my opinion, in some suitable way, there ought to be representation of the oversea countries in the British Cabinet of this country. How that representation is to be created it is not for me to say, but I want to express the opinion that, if it is to be what is called itinerary representation by any man of responsibility from any of the oversea countries, such a man could not be expected to come to this country for three, six, or twelve months and then to go back again and to come over here again for three, or six or twelve months, however well intentioned and full of goodwill he might be. In my opinion you will not get any man of any strong standing from any of the respective countries to do that. The work would require the very best man you can get; but if you are going to fill the position in a sort of itinerary way, and make it a position which is going to be regarded from the point of view of the Empire as a whole as one putting tremendous responsibilities upon an individual, whoever he may be, then I do not think there are very many people from any parts of the Empire, except for the purpose of appealing to their own individual ambition (which is a factor, of course), who would accept the right to occupy a position of that kind, and I do not think it would be fair to ask them to fill such an itinerary position. I have no doubt, however, that whatever personal sacrifice or inconvenience anyone may be put to will be readily done. I am looking forward with considerable interest to what may be suggested about this most important matter.

CHAIRMAN: I do not want to raise any false hopes. I only referred to the statement made by the Prime Minister that the fuller Resolutions were going to be discussed on Thursday.

Sir JOSEPH WARD: Do you mean here?

CHAIRMAN: No, in the War Cabinet.

Sir JOSEPH WARD: I understand. I do not for one moment desire to put you in the position of having committed yourself to anything, I do not wish that to be understood at all; I only meant that I was looking forward with interest to hear whatever statement might be made on this important matter after it has been considered in another place. At all events, this Resolution of Sir Robert Borden's receives my personal very hearty support, because, at least, if the Resolution here put on record by the present members of the Conference conveys anything, it conveys a distinct suggestion that between now and the next Conference after the War there should be some effort made to formulate something that may be brought up at that Conference with a view to its being dealt with, and in that respect I think this Resolution is timely and will do a considerable amount of good.

As we are passing through quite extraordinary times, I want to make sure that there is no misunderstanding, so far as I am concerned as a representative, upon that point of attachment to the Monarch of this country in the high and responsible position he holds. What appeals to me is the fact that some of the Continental thrones are tottering from a position of autocracy into one of the people ruling. What strikes me about it is that the reflex that we get upon our own Homeland, with the King as the head of the monarchy, is entirely in favour of the continuance of a monarchy in this country. It does bring into striking relief—and in the far-flung young nations attached to the Empire as a whole it is as strongly felt as in the heart of the Empire, if not more so—the fact that the constitution of this country relieves the Monarch from being put into the position of an autocrat similar to those monarchical autocrats who have plunged the world into the present horrible War. One thing is certain, our beloved King was in no way responsible for the starting of the great war now raging. It makes us recognise more and more that it is the Monarch's constitutional advisers here who alone are responsible for the policy as between them and the people. If the conditions were similar to the conditions that exist in Russia and in Germany, and in some other countries which one need not name, it might have created in the minds of the peoples both here and in the oversea countries particularly, who have never seen and may never see this country, a very different feeling from their deep and abiding attachment to the monarchical system



Sir JOSEPH WARD—*cont.*

which rules in this country. Within my recollection I have never seen any attempt in the direction of autocracy exhibited by the three Monarchs in whose reigns I have lived and served under as a Minister of the Crown in a distant part of the Empire, which would engender any spirit of ill-will towards the system which they have so successfully and so nobly filled during the time they have been at the head of the monarchy. As one of the representatives from one of the young oversea countries, I want to add my words of testimony to those expressed by Sir Robert Borden, Mr. Massey, General Smuts, Sir Edward Morris, and the representative of India, of endorsing that fine feeling, particularly at this juncture, that exists towards His Majesty the King and his most Gracious Consort the Queen. So that while there are some people who may be imbued with notions of prospective changes in connection with our system here, all I can say is that my belief is that the oversea countries would stand shoulder to shoulder with the Motherland for the preservation of the monarchical system under which they have developed so wonderfully. Britain is the only successful colonising country of any importance in the world, and under that system to which I have just referred they have been unfettered by the Monarch and allowed to do practically, within the limits of reason, whatever they liked in the matter of legislation, and, therefore, they would not wish to see any change in any direction whatever.

Let me just say, in conclusion, that Sir Robert Borden in his speech upon this matter showed very conclusively that something requires to be done in the future, and the future alone can really provide what is going to be done in this matter. I hazard the opinion, as one of the public men in a far-off country, that this matter of readjustment of the constitution stands out, to my mind, as of such stupendous importance that if it is necessary to have one Conference or two Conferences, or one Convention or two Conventions, or more, as this Resolution says "as soon as possible after the cessation of hostilities" it certainly ought to be taken in hand. I do believe with Sir Robert Borden—and I want to emphasise this—that the Conference to consider it ought to be a thoroughly representative gathering of public men from the Oversea Dominions holding responsible positions. May I say that we have never yet had any test by our respective parliaments on any important matter from the Imperial Conference regarding reconstruction of the Empire; but such a test we shall have when one Resolution is carried into effect that proposes to make some fundamental change in the Constitutional Government of the Empire. I say that when we do get a Resolution passed that requires to be carried by our Parliaments and endorsed by our people, it is essential to have the goodwill of every section of powerful parties at such a Conference or Convention as is going to deal with an alteration which for generations to come will in all probability be the law, although, unlike the laws of the Medes and Persians, it will be alterable and flexible at the will of the people who make it. All the same, it will affect the future destinies of the countries to such an extent that, however inconvenient, no inconvenience on the part either of the Oversea Dominions representatives or of the Home representatives should be allowed to stand in the way of representatives of the leading political parties coming together and setting to work to consider seriously the question of the Government, not upon matters affecting the internal affairs of the Empire, but on those points which are common to all. I agree with Mr. Massey, that when we get to the point of having to consider how the financial part can be arranged for dealing with these overriding Empire matters, that it can be satisfactorily done beyond all doubt without interfering with the local financial requirements of the respective Governments; and there is no Government, in my opinion, will transfer its powers of taxation to any Imperial Parliament or to any Empire Government. For the Empire purposes to which I have alluded for the protection of the Empire, whatever they are, when each Government is asked to provide the means, the Governments of the respective countries must have the authority of their own Parliaments, with the consent of their own people, but they will never allow any distant central organisation to have the power of double taxation, however limited the power of the central authority in that respect may be, or for any purpose of taking it out of the hands of the respective Governments for carrying on any of these Empire matters.



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CONSTITUTION OF THE EMPIRE.

[9th Day.]

Sir JOSEPH WARD—*cont.*

This is a matter which one might, upon various other aspects, discuss at considerable further length, but I have taken the opportunity of stating my views on one or two points, as I feel, from the importance of the subject, that I should have been wanting in the performance of my duty to my own country, and indeed to the Empire, had I not done so.

Sir ROBERT BORDEN: I should like, if I may, to correct any misapprehension which may have arisen on the observations I made in opening. I have not had any communication with Mr. Lloyd George respecting the matter, but I have gathered the impression—I do not know whether it was from an authoritative source or not—that he was prepared to carry out, or to recommend at least, an arrangement by which Oversea Ministers who were able to be present here in London should be summoned to meetings of the Imperial War Cabinet during the progress of the War.

I entirely agree that the step recently taken is a very important advance, because there is but one Crown, but there are many nations within the Empire, and the Crown in its relation to any Dominion acts upon the advice of the duly constituted Government or Cabinet of that Dominion. The Crown at present acts upon the advice of a Cabinet in all Imperial matters, which includes not only Ministers responsible to the British Parliament but also those responsible to the Parliaments and Governments of the respective Dominions so far as they are represented here. The conventions of the Constitution are really its foundation; where there are no written Constitutions, almost everything depends on convention. The great influence of conventions, upon even a written Constitution, may be observed from what has taken place in the United States, where the original terms of their Constitution have been modified by convention in the most remarkable manner and in more than one respect. So I attach importance to the beginning of what may become an established convention in the government of this Empire. I also entirely agree with what has been said as to the importance of the principle we are affirming in this resolution. I do regard it as a very important advance. The matters to which Sir Joseph Ward has directed our attention are of great importance, but many of them seem to me to be matters rather for the consideration of the Conference to be called than matters which we can properly or effectively consider to-day. I agree thoroughly also that the British democracy to-day is as advanced and progressive and perfect a democracy as can be found anywhere in the world. By "British democracy" I mean the system of government which prevails in the United Kingdom and in the Self-governing Dominions. In that system the King is the head of no party, but he is the head of the united democracies of the Empire.

I entirely agree with General Smuts that, according to the form of the Constitution at present, the conditions are as he suggests. It is to be observed, however, that constitutional writers draw a sharp distinction between legal power and constitutional right. The British Parliament has technically the legal power to repeal the British North America Act—taking our Dominion as an illustration. But there is no constitutional right to do so without our assent, and therefore, while there is the theory of predominance, there is not the constitutional right of predominance in practice, even at present. Questions, however, do arise with regard to it from time to time. We have had, even since the War began, a question as to the exercise of the prerogative, and a question as to the advice upon which the prerogative under certain conditions shall be exercised—upon the advice of the Government of the United Kingdom, or upon the advice of the Government of Canada? Doubtless, under present conditions, questions of that kind are occasionally arising, but upon the basis which is established by this Resolution they are less likely to arise in the future.

I am very glad that the Resolution has commended itself to the members of the Conference, and I earnestly hope that the result of the Conference which is to be summoned will be all that we can hope.

CHAIRMAN: I do not think it is necessary for me to say more than a word or two to the Conference. Of course, it must be obvious from the terms of the Resolution, as well as from the remarks that have been addressed to us by various members, that had this Conference been assembled under ordinary



CHAIRMAN—*cont.*

circumstances, a Resolution of this importance would have been discussed with the Prime Minister of the Government here at home presiding, and, no doubt, with the presence also of some high officers of State, such as the Lord Chancellor, and others; but the fact that we are at war, and that, therefore, the Ministers here are engaged upon other work connected with the War, which makes their presence impossible, has to some extent (and I think this has been apparent from the speeches which have been made) weakened our discussion. But, personally, I rejoice very much that this Resolution has been placed on the paper, and I think the debate which has taken place has been of immense interest, and of very great value to us, whether we come from the Self-governing Dominions, or from the Empire of India, or from the United Kingdom. I think it will help us very much.

I should like just to say that I am sure I speak for His Majesty's Government in this one respect, when I express our cordial appreciation of the references which have been made not only to our Sovereign King George V. and His gracious Consort, who has been well described as a British princess, but also to King Edward VII. and Queen Victoria, a long succession of monarchs who, by their wisdom and by their action as the reigning sovereigns of this Empire, have done so much to deserve those tributes which we have heard to-day; which, I am convinced, come, not merely superficially, but from the hearts not only of those who represent the various parts of the Empire, but from the various parts of the Empire themselves. I have always felt, myself, in regard to this very difficult question of Imperial Federation (and I apologise to the Conference for giving them what is, after all, only my own view), that really the working plan of the future will have to come from the Dominions themselves. Constitution making is rather a popular occupation, and, just as during this War, we find that every omnibus or railway carriage contains commanders-in-chief of both the Navy and the Army, who, judging by their conversation, are prepared at any moment to take supreme command and do things better than the commanders do them, so we find constitution-makers are very plentiful. There are all sorts of schemes in the air. It has always seemed to me to be a very dangerous thing to attempt to make a Constitution which we would seek to impose upon the various parts of our Empire which have strong views of their own, and who must of necessity know their own local difficulties and conditions better than they can be appreciated here. That we must arrive at some closer system of government, some wider share not only in government but in the responsibility of government, is, I think, apparent to all of us, but we can only do it, I believe, by very cautious and gradual steps; and I am one of those who believe that we shall find the solution rather in evolution than in any tremendous root and branch change. We must all feel that the British Empire has stood this supreme test with marvellous success, and, however anxious we may all be for reform, I am convinced, speaking, if I may say so with great respect, merely for myself, that wise reform will be found in gradual and prudent procedure rather than in anything very sudden and drastic. That is why I welcome, as I cordially do, this Resolution, because I am bound to say I believe this War would have been fought, if not in vain, at all events with very unsatisfactory results when the victory is won, if it had not led the British Empire to realise that she must strengthen herself and must consolidate if she is to meet the future and be the power for peace and progress in the future which all those who have died in this War gave their lives in order that she might be.

It is for these reasons that I venture very briefly to say these two or three words. I regret very much the absence of the Prime Minister and his colleagues. I hope I have not misled the Conference as to any announcement he is going to make, because I have no right to do anything of the kind; I only intended to indicate that he was going to meet us on Thursday, when, no doubt, we shall hear his views on various questions.

Now, may I put the Resolution to the Conference as amended?

*The Resolution, as read out by Sir R. Borden with the amendments relating to India, was put to the Conference by the Chairman, and agreed to in the following form:—*



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CONSTITUTION OF THE EMPIRE.

[9th Day.

The Imperial War Conference are of opinion that the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the War, and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities.

They deem it their duty, however, to place on record their view that any such readjustment, while thoroughly preserving all existing powers of self-government and complete control of domestic affairs, should be based upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and of India as an important portion of the same, should recognise the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations, and should provide effective arrangements for continuous consultation in all important matters of common Imperial concern, and for such necessary concerted action, founded on consultation, as the several Governments may determine.

#### Naturalization.

Sir GEORGE PERLEY: Looking over the papers in connexion with the subject of "Naturalization" I would venture to express the opinion that there is nothing in the suggestions to which we could take exception. At the same time I think it is a matter that ought to go to the Departments of Justice of the various Dominions unless somebody is here willing to take it up and go into it carefully. In a general way the proposals put forward seem to me to be very reasonable and necessary.

CHAIRMAN: I was asked to move two resolutions on the subject *pro formá*. I need hardly say it is not my subject; I am not responsible for it, but the Home Secretary, who is responsible, is unfortunately ill and cannot attend. So all we could have would be the advantage of the presence of the permanent officials.

General SMUTS: The resolutions seem only *pro formá*.

CHAIRMAN: I am told that is all they are.

Mr. MASSEY: I would like to look at the papers connected with it before I say anything on the subject.

CHAIRMAN: Then we will put "Naturalization" first on the paper for our next meeting.

Mr. MASSEY: I do not think the matter is of very great importance.

Adjourned to Wednesday next at 11 o'clock.



## TENTH DAY.

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Wednesday, 18th April 1917.

THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 11 A.M.

### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.  
 The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.  
 The Honourable R. ROGERS, Minister of Public Works.  
 The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.  
 The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, M.P., Secretary of State for India.  
 Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.  
 Colonel His Highness The MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.  
 Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

The Right Honourable Sir ROBERT CHALMERS, G.C.B., Permanent Secretary to the Treasury.

Sir EDWARD TROUP, K.C.B., Permanent Under Secretary of State, Home Office.

Sir E. NOTT-BOWER, K.C.B., Chairman, Board of Inland Revenue.

Mr. JOHN PEDDER, C.B., Assistant Secretary, Home Office.

Mr. J. S. RISLEY, C.B., Legal Adviser, Colonial Office.

Mr. N. F. WARREN FISHER, C.B., Deputy Chairman, Board of Inland Revenue.

Mr. J. FISCHER WILLIAMS, Home Office.

Mr. H. W. MALKIN, Assistant Legal Adviser, Foreign Office.

and

Private Secretaries.



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NATURALIZATION.

[10th Day.

\* \* \* \* \*

**Naturalization.**

CHAIRMAN: On this question will you begin, Sir Robert Borden?

Sir ROBERT BORDEN: I would suggest, Mr. Chairman, that we might dispose of the question as to Naturalization pretty briefly by referring the recommended proposals for the consideration of the respective Governments summoned to the Conference. It is impossible for this Conference to enter into all the details of the proposed legislation. A general Act, which was passed by the Parliament of the United Kingdom about three years ago, I think, was adopted in Canada after a great deal of conference and communication by cable. I do not know whether it has been adopted in any of the other Dominions or not; I think it has been adopted in Newfoundland.

Sir EDWARD MORRIS: Yes.

Sir ROBERT BORDEN: It is now suggested that the provisions of that legislation, having regard to the experience gained in the War, will require amendment and extension. We could not possibly come to an agreement on the subject at this Conference. The Minister of Justice in Canada has devoted a great deal of time to the consideration of Naturalization, and the Bill which was passed in our Parliament in the same terms as that passed in the Parliament of the United Kingdom was under his direction in conference with his colleagues. I suggest that probably we would meet the situation if a Resolution in this form were moved: "It is resolved that the proposals set forth in the Memoranda submitted by the Home Office be commended to the consideration of the respective Governments summoned to the Conference." The consideration of the matter could proceed between the Government of the United Kingdom and the Governments of India and the Dominions in the same manner as it took place upon the original Bill. I do not wish to move this Resolution unless it is considered sufficient by the representatives of the Home Office. It seems to me that it meets the situation as well as it can be met under present conditions.

CHAIRMAN: What do you say to that, Sir Edward?

Sir EDWARD TROUP: The proposal is to recommend to the Dominion Governments the proposals put forward in this Memorandum?\*

Sir ROBERT BORDEN: Yes.

Sir EDWARD TROUP: Both the legislative and the administrative proposals?

Sir ROBERT BORDEN: Yes—"that the proposals set forth in the Memoranda submitted by the Home Office be commended to the consideration of the respective Governments summoned to the Conference."

Sir EDWARD TROUP: Clearly in any case we should wish to consult with the Dominion Governments on the details of the proposal. Our object now is to get a general assent to the principle from the Conference.

Mr. MASSEY: Do you mean to the Bill?

Sir EDWARD TROUP: I am speaking of the Bill, but the same would apply also to the administrative proposals.

Mr. MASSEY: This is a somewhat important subject at this juncture, Mr. Long, and it must come up to be considered and dealt with either now, before the end of the War, or just immediately after it. If possible I think it ought to be dealt with before the end of the War. I am afraid that in our Naturalization laws we have been somewhat lax, and I am speaking not so much of the United Kingdom as of the Dominions. We have all had trouble and difficulties already and I think there should be such legislation passed by the Parliament of the United Kingdom and by the Legislatures of the Dominions as will if possible enable us to avoid similar trouble in the future.

\* See Memorandum printed on pp. 151-156.



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Mr. MASSEY—*cont.*

I have just been looking at the Bill and it seems to me that the important part of it is sub-section (2) of clause 1, where it is provided that "A Secretary of State may also by order revoke a certificate of naturalization in any case in which he is satisfied after such inquiry as hereinafter mentioned that the person to whom the certificate was granted either—

- "(a) Has shown himself by overt act or speech to be disloyal to His Majesty; or
- "(b) Has within five years of the date of the grant of his certificate of naturalization been sentenced to not less than twelve months' imprisonment or to a term of penal servitude; or
- "(c) Was not at the date of the grant of his certificate of naturalization of good character; or,
- "(d) Has since the date of the grant of his certificate of naturalization been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connexion with His Majesty's dominions;

"and that (in any case) the continuance of his certificate is not conducive to the public good."

That is a pretty drastic proposal, but I am not prepared to say it goes too far, and, as a matter of fact, I do not think it does. I think when this present War comes to an end we have got to be particularly careful about the naturalization of enemy subjects, and when the matter comes before our Parliament, as it must, because our Naturalization Laws are not by any means perfect, and we know it now, speaking for myself, I shall do my best to prevent any of the present enemy subjects being naturalized without their showing particularly good reason therefor. As a matter of fact, speaking generally, I do not think we should naturalize the present enemy subjects for a considerable period, say, five or seven years, after the War comes to an end. In saying that I am looking forward to the attempts which will be made, as we all know perfectly well, by enemy subjects to get back into the commercial and industrial position which they occupied prior to the War. I am very strongly of opinion that those attempts should be resisted to the utmost of our power, for a very long time to come at any rate.

Sir JOSEPH WARD: I agree with Mr. Massey's remarks. Personally I am in full accord with this proposal to give power of cancellation to the Secretary of State, and I think it is worthy of the most serious consideration of all the Oversea Dominions that the power of cancellation of naturalization of anyone should remain in the hands of the Executive. It is to my mind desirable that there should be reconsideration with regard to the period of time entitling to naturalization which, in previous periods in our country, and I think in some of the others, was altogether too short. I am inclined to think that it would be a good thing if a definite period were fixed of seven years at least. Under the old system anyone coming along and remaining for two years only in some countries—I am not at all sure that in one country it was not less—could have the right to receive the benefit of the laws of a British country. I think that should be stopped at once and for all, and that the power should exist in the legislation of the British and all the other Governments, if it is not here now, to cancel the certificate of any person at any time who has been naturalized in any country if sufficient reason is shown that that should be done.

Our experience in this War has shown us that it is impossible to allow liberties to be taken by enemy subjects, many of whom upon the outbreak of War directly associated themselves with their country of origin; and, in any case it has been shown clearly that for quite a long period after the War they were in association privately, numbers of them, with people in outside countries with the object of interfering with the country in which they were making their living and which was protecting them under the law and in which they were receiving the benefit of naturalization. In all those cases where that can be ascertained the naturalization certificate should be cancelled, in my opinion; at all events, I for one am prepared to go to the very greatest length that it is possible to go to



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**Sir JOSEPH WARD**—*cont.*

prevent the possibility arising in the future of enemy subjects within the British Empire getting into a position that may be disastrous to us should there be any difficulties in the way of war with other countries or with the countries to which they belong or from which they have come. Each of the countries will carry out the legislation dealing with naturalization in such a way as they think proper; but in view of the facilities for rapid travel and the ever increasing number of steamers which give rapid transit across the ocean to different parts, it does seem to me that if the Naturalization Laws are to be thoroughly effective there must be some method in operation to deal with people naturalized in one portion of the Dominions passing to another; and a review should take place when they pass from the one Dominion to reside in another as to the person and the circumstances under which he obtained his original naturalization. This Empire is too big and it is too close to enemy countries at the present moment not to realise that whatever may have appeared to be reasonable and fair in the past would not, in the light of our recent experiences, be reasonable and fair to the people in our countries at the present time. As far as I am concerned, I hope the British Government will get legislation of a drastic nature on the statute book, and that in turn the Oversea Dominions will in their way follow in the direction of ensuring their preservation from any enemy efforts by or through naturalized subjects to weaken us in the future.

**Mr. MASSEY**: May I ask the representative of the Home Office a question? It was suggested some time prior to the outbreak of war that we should have legislation not only in the United Kingdom but in the different parts of the Empire to the effect that when a foreigner became naturalized in any of the Dominions, or in any part of the Empire, the certificate or letters of naturalization entitled him to citizenship in any other part of the Empire. I do not know whether that was ever given effect to.

**Sir EDWARD TROUP**: Yes, that was given effect to under the Act of 1914, which provided a general law under which five years would be required before there could be any naturalization. It provided that where the Act was adopted by a Dominion then the certificate granted by the Dominion should have effect throughout the whole Empire.

**Mr. MASSEY**: That is the point really upon which I want information.

**Sir EDWARD TROUP**: As a matter of fact the Act was passed just after the beginning of the War and it had received the absolute assent of all the Dominions, but passing immediately after the outbreak of war it hardly received the large amount of attention which it deserved.

**Mr. MASSEY**: Is that the Act?

**Sir EDWARD TROUP**: That is the Act which has been adopted in Canada.

**Mr. ROGERS**: Have you adopted it in New Zealand?

**Mr. MASSEY**: No, we have not.

**Mr. ROGERS**: Then you are lucky.

**Sir EDWARD TROUP**: The adoption of that Act with the further amendment suggested would, I think, effect what Sir Joseph Ward wants.

**Sir ROBERT BORDEN**: I am not criticising the proposals. I do suggest that the subject is important and, in some respects, complex. The Act was adopted by our Parliament after very considerable discussion and after a very long conference with the Imperial Authorities. It is now proposed that certain administrative principles shall be adopted and that certain amendments shall be made in that Act. It is utterly impossible for me, without the assistance of the Minister of Justice and without the assistance of the technical officers of his Department, to say whether we are prepared to accept these proposed amendments precisely in the form in which they are submitted to the Conference. Therefore, as it will be necessary in the end to refer this matter to the Oversea Dominions, it seemed to me that the situation would be adequately met if we commend these proposals to the consideration of our respective Governments. As far as I am concerned I have been unable to give the time and attention to these proposals which would enable me to say that the Canadian Government and the Canadian Parliament would accept



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Sir ROBERT BORDEN—*cont.*

them precisely in the form in which they are submitted. It is quite possible that we shall be prepared to accept them, but I am not able to say that without the assistance to which I have already alluded. The Home Office have given long and careful study to the question. We have not had that advantage and we have not the persons here whom we should require to assist us for that purpose. I should not be inclined, therefore, to assent to any Resolution which adopted those proposals in the absence of the opportunity, to myself at least, of giving them the consideration which they must have.

Sir EDWARD MORRIS: I must say I am very strongly in favour of the proposal of the Prime Minister of Canada on this point. There is a great deal in what Sir Joseph Ward has said, but we must remember that this is not an Act against the countries that are at war with us now; this is an Act against the United States and against all our other Allies, and we must be very careful.

Sir JOSEPH WARD: It only relates to alien subjects.

Sir EDWARD MORRIS: Yes, but alien subjects are people who can come from the United States to Canada and from the United States to your country. This Act is going to deal with every country in the world and with every part of the Empire. It is important to remember, for instance, that by clause 2 (b) of the Bill here a man may lose his citizenship in Canada if he commits an offence which subjects him to imprisonment for twelve months although he has been a naturalized subject for five years. All his neighbours round about are committing the same offences although they are not naturalized subjects, and that might have a very bad effect and create a very bad feeling amongst people in the country who are desirous of settling down and becoming good citizens. I think under all the circumstances, having regard to the technicalities of this subject, it would be well to have the matter first considered from the standpoint of the various Dominions, and for them to ascertain first whether there are any difficulties. If there are any difficulties they should ascertain them, and after communication with the Home Office or the Colonial Office we probably should be able to have a Bill drafted which would be of such a general character as to meet with the wishes of all.

CHAIRMAN: Does not the Resolution suggested by the Prime Minister of Canada really meet the case? It affirms the principle. I do not know whether the Prime Minister of Canada would be willing to add some words affirming the general proposition contained in the Home Office Resolution.

General SMUTS: You might add, "while generally in agreement with the proposals of the Home Office."

CHAIRMAN: Something of that kind. The words of the draft Resolution prepared by the Home Office are: "It is resolved that it is desirable to take further power to revoke certificates of naturalization on grounds of disloyalty or other misconduct or severance of connexion with the Empire." We want some words of that kind to show that we want to strengthen our powers.

Sir ROBERT BORDEN: Mr. Chamberlain has suggested an addition to the clause which I would be perfectly willing to accept, and which, indeed, expresses precisely my own idea, "and that the Conference recognizes the desirability and importance of securing uniformity of policy and action throughout the Empire with regard to naturalization."

Mr. MASSEY: I should like to say a word on that, and especially with reference to the point raised by Sir Edward Morris. With a very great deal of what Sir Edward said I thoroughly agree, but in order that no wrong impression may be created I would just like to say that nothing we are doing at the present moment is directed against either the United States or any of our Allies or any neutral country. It is not; nothing is further from my thoughts; but I cannot help thinking of the position which we have got into already with regard to the provision I mentioned when I was speaking a few minutes ago, that is, that if the law which is in operation in the United Kingdom is adopted by the Dominions, then it follows that the issue of letters of naturalization by any one of the Dominions to a citizen of any foreign country entitles that man to a citizenship in every other part of the British Empire. I am now inclined to think that we have got to be particularly careful, as that is



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**Mr. MASSEY**—*cont.*

already the law, not of the whole of the Empire, but of the United Kingdom and of the more important of its Dominions. That is the position to-day, and I can imagine cases where men may in future have the opportunity of becoming naturalized in some of the other Dominions, and yet New Zealand, for instance—and I am simply taking that as an illustration—might object to that man having the right of citizenship in our country. I think, in view of the position that at present exists, with regard to that particular provision we have to be exceedingly careful of what we are doing. As a matter of fact, I think we have to be far more careful with regard to the naturalization of the citizens of foreign countries, more especially enemy countries, after the War than ever we have been up to the present time.

**Mr. CHAMBERLAIN**: I think we are all agreed about that, if I may say so; but surely we should also be agreed upon this, that, if we can secure it, uniformity of legislation is very desirable, and is in itself an object. It would seem a fitting thing for this Conference to express its opinion that the uniformity of legislation is desirable while commending these proposals to the consideration of the Dominion Governments, and it would then set before us all, both the Government here and the Governments in the Dominions, that our object would be to arrive at some settlement which could be adopted throughout the Empire.

**Sir JOSEPH WARD**: I would just like to say what was the opinion of the men who were responsible for the proposals regarding the amended laws for naturalization at the previous Conferences which I attended and which have been alluded to. At that time the idea was to have that unity of action which Mr. Chamberlain has just referred to, and which personally, I think, it is highly desirable should be the aim of the different portions of the Empire now; but at the same time, it was believed by, I think, all the representatives who were here at the Imperial Conference, that the periods which varied in the different countries should be made uniform, and it was strongly held by different members that the certificates issued by any portion of the Empire should be admissible in other portions of the Empire.

I raised that point in the discussion to-day for the purpose of saying, as one who was at the previous Imperial Conferences, that as the outcome of the experience in this War I for one have altered my opinion about that. I think there should be the right remaining to each of the portions of the Empire to review a certificate issued in any other portion of the Empire.

As to this question of the United States, which is a very important one, raised by Sir Edward Morris, if we remember what the position was in pre-war days, as far as the United States of America were concerned, it was looked upon as the home of the alien; he had an opportunity of getting into that country at one time in a very easy way. It is quite true that in recent years they have under administrative regulations been much more strict; but after this War is over it is quite conceivable that aliens even from enemy countries may get into the United States of America and become naturalized American citizens. They may pass over the border into Canada and after remaining in Canada for a time get a certificate of naturalization and then pass to some other portion of the Empire which might for local reasons regard them as undesirable people to be naturalized.

**Sir ROBERT BORDEN**: If you will permit me, I would like Sir Joseph Ward to realise, perhaps more clearly than he does, that for the past fifteen years at least the provisions, both legislative and administrative, in force in the United States with regard to the admission of aliens are stricter probably than in any other country. I took occasion to study them about ten years ago; I will not attempt to describe them, but they are exceedingly comprehensive and effective. I do not think there is the slightest danger, so far as they are concerned, of any relaxation of those provisions after the War. At the same time, of course, I realise that it is for every Dominion of the Empire to come to a conclusion as to the effect of this legislation. I do think, however, it is very important that there should be some Empire-wide system of naturalization, and that principle was affirmed at the previous Conference. The situation with regard to naturalization hitherto had been of the most extraordinary character. Naturalization granted in one Dominion took no effect anywhere else; naturalization in the United Kingdom took no effect in the Dominions: it was a system of disunion so far as naturalization was concerned.



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Sir JOSEPH WARD: I am quite prepared to defer to Sir Robert Borden, with a greater knowledge of the position in the United States than I have, and I am very glad to hear that its administration has been so strict in the past fifteen years to which he refers, but I am not quite sure whether one point, to which we attach very great importance in New Zealand, does exist in the United States of America, as to the admission of people who may become naturalized even under the strict administration in that country. We expect before we allow an alien into our country that he should pass an educational test. My impression is that that test does not exist in the United States.

Sir ROBERT BORDEN: I do not speak positively, but my impression is to the contrary—that they have an educational test.

CHAIRMAN: But in any case surely the legislation which we are discussing has nothing to do with the right of a Dominion to limit immigration?

Sir JOSEPH WARD: No.

Mr. CHAMBERLAIN: You do not offer to receive every Canadian citizen or every English citizen, but you treat him, if he is a British citizen by English law, as a British citizen and not as an alien.

Sir JOSEPH WARD: I quite agree. If you include it under the head of Immigration it may not have a direct bearing on the question of Naturalization. I referred to it, however, for the purpose of saying that in our country, and no doubt in other countries too, we are a little sensitive, and excessively anxious to ensure the preservation of the people there from an undesirable class which might come from other countries. In my view the Resolution of Sir Robert Borden is the only course, or at all events it is a very effective course, and one that I quite agree with. This whole question is very far-reaching, and there is no doubt that at the present time, and I hope in the years to come too, there will be a very earnest and anxious desire on the part of each of the overseas countries to amend their naturalization laws so as to prevent the recurrence of those troubles which undeniably arose in all parts of the Empire. In post-war days people may forget the terrible atrocities that have been committed by enemy countries in this great War. Time is a great healer, and in the course of ten or fifteen years from now it is very hard to anticipate whether we will not get back to a condition of things, as the result of the development of trade and intercourse of one sort and another, which may make people forget some of the enormous difficulties that presented themselves at the outcome of the War. I recognise that the matter is too big to settle definitely at this Conference, and I think the Resolution of Sir Robert Borden should be accepted.

Mr. MASSEY: Only that it expresses an opinion in favour of uniformity with which we do not all quite agree. I will not detain the Conference more than a minute or two. One instance of the difficulty of the Naturalization Law has occurred to me; it is a difficulty that we experience in New Zealand at the present moment. We have a New Zealand industry which is locally known in the Dominion as gum digging, which is peculiar to New Zealand. That has attracted a number of people whom we were in the habit prior to the War of speaking of as Austrians. Probably we have 3,000 of those men in the North Island of New Zealand in one particular locality. When the War broke out a good deal of anxiety was expressed as to the attitude that might possibly be taken up by those men who had come from the centre of Europe, let me say, for the purpose of carrying on the gum-digging industry in New Zealand by which they were, and are, able to earn very good wages; it was an industry peculiar to them. We set up a Royal Commission called the Aliens' Commission for the purpose of making inquiries into the position of any doubtful alien that might be resident in New Zealand, and great anxiety was expressed by the northern centres as to what might occur owing to the presence of these Austrian subjects in the North Island. I directed the attention of the Commission to these people and asked them to make the necessary inquiries. They went into the whole subject exhaustively, and they reported—I am not able to repeat the wording of the Report, or anything near it—to the effect that there was not the slightest danger from these people, and although they were nominally Austrian subjects their



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sympathies were not with Austria, but were entirely with Russia—that they were really Slavs, and that there was not the slightest danger to be apprehended from them. As a matter of fact, a number of these men asked the New Zealand Government to allow them to enlist for the New Zealand Expeditionary Force, and we did allow about 200 of them to go, but we were advised by the Imperial authorities that it was hardly the proper thing to allow enemy subjects to go into the British Army, even although we were quite aware that they were all right, and therefore we did not allow any more to volunteer. Arising out of that very difficult position difficulties may be experienced in the future, and perhaps an injustice may be done to some of these men to whom I have referred. That only shows the necessity for extreme caution in connection with any amendment of our Naturalization Law.

Mr. ROGERS: We have in Canada the very same condition only in a very much larger degree.

Mr. CHAMBERLAIN: That special class of case is recognised in the Memorandum from the Home Office we have before us.

CHAIRMAN: Perhaps Sir Robert Borden will read his Resolution as amended to the Conference.

Sir ROBERT BORDEN:

“It is resolved that the proposals set forth in the Memoranda of the Home Office be commended to the consideration of the respective Governments summoned to the Conference. The Conference recognises the desirability and the importance of securing uniformity of policy and action throughout the Empire with regard to Naturalization.”

General SMUTS: Will you invert the two portions and start with the general statement at the beginning and then go on to say that should be referred to the respective Governments?

Sir ROBERT BORDEN: Yes, I think that would be better:

“The Conference recognises the desirability and the importance of securing uniformity of policy and action throughout the Empire with regard to Naturalization, and it is resolved that the proposals set forth in the Memorandum submitted by the Home Office be commended to the consideration of the respective Governments summoned to the Conference.”

General SMUTS: Yes.

Mr. MASSEY: Could you not say “if possible securing uniformity”? As a matter of fact I cannot pledge myself to support it as it stands.

Sir ROBERT BORDEN: That does not pledge anyone.

Mr. MASSEY: But it is implied.

General SMUTS: We are already bound by a previous Resolution.

Sir GEORGE PERLEY: That is supposed to be the policy of the Empire as affirmed at the last Conference, and it has been put into force in certain parts of the Empire already.

Mr. MASSEY: Then if it is the policy of the Empire now it is not necessary to repeat it—that is my point.

Sir GEORGE PERLEY: If you could get the Acts made to suit the conditions of New Zealand I suppose you would agree that it is desirable for them all to be alike?

Mr. MASSEY: If possible; but I want to make it perfectly clear that I do not bind myself to support it all.

Sir ROBERT BORDEN: Well, you need not support anything at all under this Resolution unless the provisions of the general Act are such that New Zealand is prepared to adhere to them.

Mr. HAZEN: It simply commends the proposals for consideration—that is all it does.

Mr. MASSEY: It goes further than that. The consideration part of it is all right.



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Mr. CHAMBERLAIN: But surely this is a Resolution which is as much directed to the authors of the Memorandum we have before us and of the Draft Bill as to the Dominions.

Mr. MASSEY: Quite so.

Mr. CHAMBERLAIN: We say in this Resolution that it is desirable to secure uniformity. Well, uniformity can only be obtained by a process of give and take, and it implies that even if the Home Government thought some particular proposal were in itself very desirable, it might yet be right to sacrifice that opinion to the necessity of uniformity if the Dominions did not accept it.

Mr. MASSEY: Yes, so long as this is not taken to read that the Dominions are expected, or pledge themselves, directly or indirectly, to alter their legislation in conformity with the legislation that has already been agreed to in the United Kingdom.

Sir ROBERT BORDEN: Nothing of that kind is possible under the Resolution.

Mr. MASSEY: I want to make that perfectly clear.

Sir ROBERT BORDEN: Notwithstanding the Resolution of the last Conference, we suggested to the Imperial Government that before the Bill would be accepted by Canada certain amendments should be made. We had a long discussion; there was give and take, and eventually we arrived at a basis which was acceptable to both. That is the only way in which it can be carried out in any Dominion. If New Zealand thinks more stringent regulations are necessary, New Zealand has perfect liberty of action to consent to no general Act unless that Act embodies the provisions which she thinks necessary.

Sir EDWARD TROUP: If I may say so, the Act as it stands can be made stricter in the administration of it by any Dominion. The Act requires five years' residence, but there is nothing in it to prevent any Dominion requiring seven years before anybody can obtain naturalization; or they could refuse to naturalize any person of a certain nationality at any time.

Mr. MASSEY: Would not that destroy uniformity?

Sir EDWARD TROUP: I do not think it would, because the great point about uniformity is that if the certificate is granted it should be effective throughout the Empire.

CHAIRMAN: Are we in a position to pass this Resolution now? It runs as follows:—

“The Conference recognises the desirability and the importance of securing uniformity of policy and action throughout the Empire with regard to Naturalization, and it is resolved that the proposals set forth in the Memorandum submitted by the Home Office be commended to the consideration of the respective Governments summoned to the Conference.”

(Agreed.)

#### Double Income Tax.

CHAIRMAN: The next subject on our Agenda is Double Income Tax,\* as to which Mr. Massey is willing to hear the statement from the Treasury. Although it is put on the Agenda paper Mr. Massey is not, I understand, prepared to make a full statement of his case to-day. Perhaps the Treasury will be good enough to tell the Conference their point of view.

Sir ROBERT CHALMERS: The position is that our income tax is the subject of very great attack here in this country, and there has been a pledge given by the Government that an inquiry into the question of income tax in this country should be instituted as soon as possible, but it has been very clearly laid down that there can be no inquiry into that tax while we are actually immersed in the War and while the income tax staff, which is a very small staff, is itself hard pressed in raising the money. That is the position as regards this country.

Mr. MASSEY: May I ask a question, because I am not clear about the point which has been mentioned? Do you say that there is to be an inquiry?

Sir ROBERT CHALMERS: That is the position.

\* See Memorandum printed on pp. 156-157.



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Mr. MASSEY : Then that blocks legislation.

May I follow that up by asking, is any amending legislation possible without inquiry ?

Sir ROBERT CHALMERS : No, it is not contemplated that there should be any legislation. As a matter of fact, the whole staff is overworked. We have an income tax staff which is worked to the utmost at the present time, and the Government, to put it very shortly, do not contemplate, for this country, pursuing during the War the inquiry to which it is pledged while the staff is so very hard worked. That is the general position in this country as regards income tax.

Mr. ROGERS : Then what purpose is to be gained by bringing it up at this Conference ?

Sir ROBERT CHALMERS : We have not brought it up.

CHAIRMAN : It is not brought up by the Treasury.

Mr. ROGERS : No, but I want to know what is the purpose to be served by going on with it ?

Mr. MASSEY : You will hear.

Sir ROBERT CHALMERS : I should like to say that it is very much in the view of the Government that what we know as the Colonial view should be considered. We cannot, even on our own account, make an inquiry during the War, but as soon as the War is over it is contemplated that there should be a full inquiry into not only our own matters but also the views of the Colonial Governments concerned.

CHAIRMAN : In answer to Mr. Rogers, I ought to say that I do not think it possible for this motion not to be raised by some representative of the Dominions, because there is a very strong feeling about it, and it has been accentuated, as Sir Robert Chalmers knows and regrets as much as anybody, by the cases of women who are in England and have made this their home, and who have married soldiers in our different Dominion Forces and who are now widows and are living here. They have brought their cases before the Treasury, and also before myself, so I think the matter was bound to be raised. I do not know whether Sir Robert Chalmers requires any support from us, but I am sure Mr. Chamberlain and I realise that the depletion of staffs is making the discharge of their duties by Government Departments almost impossible.

Sir ROBERT CHALMERS : I am much obliged to you, Sir, for saying that about the Inland Revenue, which is very hard worked indeed.

CHAIRMAN : The collection of revenue is of a highly complex character ; I only speak of it as an unfortunate person from whom it is collected, but, of course, it is a tremendously difficult task for anybody, and the staffs are absolutely depleted down to starvation.

Sir ROBERT CHALMERS : That is so. That is a difficulty with which the Government here is confronted. It is pressed very hard by various sections of opinion and interests to have a general inquiry into the income tax, but their answer to it has been : " No, we cannot face such an inquiry while the War is on and while the staff is depleted." That is the position as regards ourselves.

Mr. HAZEN : Practically the position then is that until the War is over people will have to go on paying two income taxes, and nothing can be done until the end of the War to correct what is believed by many people to be a gross injustice.

Sir ROBERT CHALMERS : That is my frank and sincere opinion, that the machinery is so overstrained that the present position must continue.

Mr. HAZEN : Then, what is considered by many people as a very great abuse, will have to go on existing until the War is over, until the Treasury can get more officials to look into the matter ; is that it ?

Sir ROBERT CHALMERS : I notice the way you put it, but it is also true, as regards the troubles and difficulties which are experienced by you, that they are put on much the same ground here at home. Those difficulties must continue here, and



Sir ROBERT CHALMERS—*cont.*

the Colonial difficulties will be treated in the same way as our own people are treated, who complain very bitterly. The Government is pledged to have an inquiry into those domestic things and it would also inquire at the same time into the Colonial position, but after the War.

Mr. HAZEN: If an abuse exists is not this a time when it is necessary to have it corrected, a time when so many men are over here from the Oversea Dominions, living here in consequence of the War, and marrying here in England in consequence of the War? Does not an abuse become more acute, if it is an abuse, at the present time than it was before the War commenced, and than it will be after the War is over? If that is the case, and if that question be answered in the affirmative, then should not some effort be made to deal with it now? Is not this the psychological moment when it should be dealt with.

CHAIRMAN: Mr. Hazen, might I say that I hold no brief for the Treasury, and I know they are well able to defend themselves, but I can assure you from my own knowledge that the question is a very big one indeed, because there are what many people believe to be injustices and inequalities in the imposition of the income tax here. It is a tremendous question, and I am quite certain that the Treasury would not be allowed to raise only one branch of it affecting some income tax payers without covering the whole ground. I cannot imagine that such an inquiry could be conducted now, or that if it were embarked upon, the results, whatever they were, could be given effect to, because it would mean an entire revision of the whole of the machinery by which income tax is now collected.

Sir ROBERT BORDEN: Why was not it undertaken before the War?

CHAIRMAN: That is another question.

Mr. HAZEN: Mr. Chairman, would it be impossible to have an inquiry directed to the one branch of the subject that is of so much importance to those living in the Dominions? The other is more a matter of domestic concern to the people of these Islands, but would it not be possible to get officials to have an inquiry into the one branch of the matter, that is double income tax, without taking up the whole subject? The injustice, if it is an injustice, to people paying income tax twice on the same income certainly does seem to be very great.

Sir ROBERT CHALMERS: There are a great many difficulties.

Mr. MASSEY: Like Mr. Hazen, I think we are all pleased to give the Treasury an opportunity of explaining their point of view to the Members of the Conference, but I think each and every one of us must regret to hear from Sir Robert Chalmers that it is not possible to go on with the inquiry which is contemplated and which seems to be necessary before legislation is drafted and placed before the House of Commons. That, of course, makes it impossible to do anything as long as the War lasts. That I understand to be the position.

Sir ROBERT CHALMERS: That is the position which is forced upon us, a position we have to take up as against our own taxpayers who, as Mr. Long remarks, are very vocal and insistent about their claims being considered. May I just add that you will be aware that there was a concession made a year ago to the Colonial taxpayers to the extent of one shilling and sixpence in the pound as a temporary measure?

Mr. MASSEY: Yes, I understand all that; but following up the last remarks of Sir Robert Chalmers, they seem to me to suggest that because taxpayers who belong to the Dominions have not been sufficiently vocal their case has not been heard and it is not intended to consider it. If that is the case, I am afraid we shall have to be more vocal in future.

Sir ROBERT CHALMERS: I venture to interpose here to say that I did not say that. I said that our own people could not be considered at all and that there is very great outcry, and that we could not contemplate the Colonial inquiry, much to our regret.



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Mr. MASSEY: So far as we are concerned, the position taken up by the Treasury need not prevent the Conference expressing an opinion; and I am more strongly of opinion than ever, now that we have heard the statement and understand the position, that we should not leave London without expressing a very definite opinion from the point of view of our respective countries. I am not going to discuss the whole question, but I will say this, that many of our people feel they are suffering very serious injustice under this system of Double Income Tax. I thoroughly understand that and agree with it, but to my mind an even more important point is the way this system will affect the community as a whole. That is the important point of view according to my way of thinking, because in countries like Canada, New Zealand, and the other Dominions—I do not want to be drawn into discussing the general matter, and I will only take this point and then leave it—the way it is going to affect our countries is that we are countries which must have capital for the purpose of development; there is no question about it. We have not the capital in our own countries. Not one of us, I think, can be said to be in the ordinary sense of the term a rich community as compared, say, with the community in the United Kingdom. Very well, if the people who invest money in our country are going to be taxed there—because I think it will be admitted that it is fair and just and equitable to tax income in the country where the income is earned, that is, in the country of origin, and I do not think that can be disputed for the purpose of our income tax, or land tax it may be, but I leave that—and if then the same income is going to be taxed again in the United Kingdom, it will mean that the people who possess money and have been in the habit in the past of investing money in the Dominions will no longer do so, and will probably withdraw what they have invested there already. There are a number of small points in connection with this subject, but I am not going on with them to-day, and I do not want to be drawn into a general discussion if I can avoid it, but I could not allow the matter to go without saying something after what has been said by the representative of the Treasury.

Sir ROBERT CHALMERS: I also do not want to enter upon a discussion or break a lance with you on the matter, but you will have to be very careful, I submit, to see that you are not giving preferential treatment to British capital which goes to British Colonies as against its use in the United Kingdom or elsewhere.

Mr. MASSEY: What do you mean by “elsewhere”?

Mr. HAZEN: The United States.

Mr. MASSEY: Well, I am a believer in the theory of preference.

Sir ROBERT CHALMERS: I think you would have a very full measure of it if you were to extend that doctrine very fully, but I do not want to enter, any more than you do, upon the general discussion.

Sir ROBERT BORDEN: I am greatly surprised at that point of view, which is entirely new to me. Is there really any objection to a policy which would introduce British capital to assist in the development of the Oversea Dominions and of the Empire as a whole?

Sir ROBERT CHALMERS: None whatsoever. I was just raising the point in order that it might not be forgotten that there might be more than encouragement—that there might be preferential treatment—even against the Mother Country. I do not want to argue it here.

Sir GEORGE PERLEY: That makes Mr. Massey’s argument all the stronger from the point of view of the Empire.

Sir ROBERT CHALMERS: From his point of view.

Sir ROBERT BORDEN: If we are going to develop this Empire and endeavour to co-operate with each other, it would not seem a wise policy that foreign capital coming into our country and exercising control over our natural resources should be in a better position than British capital employed in the Oversea Dominions for that purpose. I am ready to hear what can be said against that view, but I must confess that it does not occur to me at the moment that very much can be said against it. The difficulty we have had in some of the Dominions is that German capital has



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come in and has acquired very unfortunate control of the natural resources of the Empire. If German capital coming into those Dominions is not subject to double income tax and British capital coming in is so subject, such a policy would tend to a perpetuation of the conditions which have been pretty generally recognised as unfortunate, having regard to our experience gained in this War.

Sir ROBERT CHALMERS: You must not take me as combating or endorsing the views that you put forward. I was only indicating that there was an aspect of the thing which would have to be seriously taken into account, and that you would have to take into account the question of residence in connection with the payment of income tax; and as to that the Treasury is very clear that, as soon as we can have an inquiry, the various views which have been indicated here and which could be amplified should have full opportunity of being disclosed and discussed.

CHAIRMAN: Before going any further I should like to be allowed to say that I think we must impose some restraint upon ourselves, however unpleasant it is, because Sir Robert Chalmers can only speak here obviously from the Treasury point of view as the Permanent Head of the Treasury responsible for the work done there. When we come to a question of policy involving preferential relations, &c., obviously that is a question which could only be replied to by the Chancellor of the Exchequer himself. Unfortunately, owing to the War, we cannot have him here as he should have been if we had been meeting in peace times when we could raise the whole question. Of course, Sir Robert Chalmers is bound by the policy of this and preceding Governments up to date, and cannot embark upon discussion as to any change of policy, whatever his views may be.

Mr. CHAMBERLAIN: May I say one word, not so much as the Secretary of State for India but as one who has been Chancellor of the Exchequer, and say it not on merits but merely to make clear if I can to our colleagues from overseas what are the enormous difficulties of the British Government in dealing with this matter. It has been suggested that the Treasury might take up the question of the double income tax payable in the Dominions and at home as a separate and isolated question and deal with that rapidly. I venture to say—and I do not think anybody who has had any experience of our income tax law and administration would deny it—that the questions raised really go to the root of our whole income tax administration, and that we cannot in fact deal with the question of double income tax as affecting the Dominions in isolation. Really in raising that you raise the whole basis on which our existing income tax is collected. I feel as strongly as anyone that the question merits inquiry of the most careful kind at the earliest possible moment; but in view of my experience, both in office and in opposition, of income tax discussions, I can safely say that it would be quite impossible administratively, and I was almost going to say, even more impossible as a Parliamentary matter, to deal with that problem in isolation without dealing with the general principles on which the British income tax is based.

Sir JOSEPH WARD: There has been another matter introduced into this discussion that does not come under the question of income tax at all, and I feel that the views expressed upon that very important matter of the deflection of money to the overseas countries, and the money that is invested there not being dealt with upon terms similar to that of monies from other countries and to the disadvantage of money invested from this country in the overseas countries, is a question of high and important policy for which the Government of this country should alone be responsible. It would be disastrous if the policy of the Government of the day of this country favoured a differentiation against the investment of the monies of the people of the United Kingdom in any of the overseas countries to the advantage of monies coming from any of the Alien countries to be invested in our countries. In the long run, if money coming from outside countries, from foreign countries or enemy countries, was at an advantage in the shape of being excluded from the double income tax, it would kill the investment of money from the Old Country in the



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British Territories. The effect of what I have just been suggesting has been very apparent in recent years through the action of Germany, through the very effective financial organisation which they have had in operation, and in my opinion it would be a very good thing if this country could have a similar organisation in order to prevent the possibility of the former state of things recurring in the future. I do not regard Sir Robert Chalmers as in any way committing himself, or the Treasury, or anyone to a policy. In my opinion it would be of the greatest value to the oversea countries when the time comes for consideration of that matter of high policy in regard to the investing of money, if there were some financial institution, which has been already suggested, in the shape of some great commercial banking concern directed and controlled by responsible men attached to the Government of the day both here and in the Oversea Dominions. That would be invaluable to all the oversea countries, and would be a tremendous check against any steps made directly or indirectly from enemy countries for investing money to our detriment in the Empire.

Having briefly said that, I want to say, on the question of double income tax, that we in the oversea countries—and I assume that the others are in the same position as the country which Mr. Massey and I represent—like British statesmen and the British Parliamentarians, and above all the Treasury (with whom we sympathise very much as to the difficulties they have at present) have been pressed by practically every section in our community for quite a long time upon this question of double income tax; and after this War arose the whole position was accentuated. It was quite well recognised that a concession was made here by the reduction of one shilling and sixpence in the pound, but that did not meet the accentuated position which arose in consequence of the War. Now in all our countries we are providing very large sums of money by increased taxation for the purpose of doing our part. The Treasury has been of enormous assistance to all of us—there is no question about it—but we are providing large sums of money, and even that part which in the early period of the War the British Treasury provided we have got to pay for sooner or later, and our people are being subjected to very largely increased taxation, and a good deal of that taxation will be of a permanent nature for the purpose of paying the interest and extinguishing the debts incurred for War purposes.

Now this is the position in which a number find themselves. They are not only paying the ordinary double income tax, but many of them who of necessity have to come to this country are paying the double War Income Tax, if I may use the term; and the matter was so difficult and so very important from our standpoint, that we did not wait for the action of the British Government in order to give relief to these people in New Zealand. As anyone can find in our Act—in the Land and Income Tax Act of last year—with the concurrence of my colleagues I put in a special clause\* to relieve New Zealanders from double income tax, and it raises the question whether we should continue it in the event of a consideration of this matter being deferred for a long period. This is the clause, which is the law of the country at the present moment: "Income derived by a person resident in New Zealand but not derived from New Zealand shall be exempt from income tax if, and so far as, the Commissioner is satisfied that it is derived from some other country within the British Dominions and that it is chargeable with income tax in that country." The meaning of that is that in the case of a person resident in New Zealand, if he is deriving income from London and pays income tax on it here, we remit that amount entirely as far as he is concerned so as to prevent him being mulcted in the double income tax. After this War is concluded it is quite certain that we will all have to readjust our taxation. None of us knows at present what taxation will be required. If when the War is concluded the Home Government or the British Treasury cannot within a reasonable period tell us how far they can consider the urgent appeal which has been made by all the oversea countries to prevent the continuance of the double income tax on the same British subject, in our countries we will not know quite what to do. We will have to continue to penalise British subjects within the British Empire—the very thing we are trying to avoid at the

\* See New Zealand Act, No. 5 of 1916, section 92.



Sir JOSEPH WARD—*cont.*

present juncture with a view to the prevention of some of these troubles which existed before the War and which we wish should be discontinued after the War, that is the consolidation of the Empire by helping our own people within the Empire which does not in the ordinary sense come directly under the purview of the high officials of the Treasury—it is not their special business. Our point of view is to try to bring about co-ordination within the Empire and to help the people of the Empire to be sufficiently strong to withstand within the citadel of the Empire the commercial war which will be waged against us by enemy countries and other countries in the natural course trying to get the trade of the world. We will have the British merchant all over our Empire handicapped to a very much greater extent than the men in foreign countries will be even when trading with portions of the British Empire. It is to further this desirable policy that we want the present double income tax removed and want the powerful aid of the Treasury to that end.

Now the matter is one of very great urgency indeed. When Sir Robert Chalmers tells us (and I accept his statement unreservedly on the point) that the exigencies of the public service here due to the War are such that the depletion of staffs renders it impossible for them to go into this question now, I recognise that we have got to wait until circumstances change and it is possible for that information to be furnished; but it does not relieve the gravity of the way in which it has affected traders all over the British Empire. You have in this country an Excess Profits Tax of sixty per cent., and we have in New Zealand an Excess Profits Tax of forty-five per cent. We have increased our income tax and you have increased yours. Heaven only knows what we will require before this War is over in the matter of income tax in order to pay our way and make proper provision to pay off the indebtedness which has been cheerfully incurred both in the British Isles and in the oversea countries. But there can be no doubt that on our return to New Zealand, at all events, while they will be loyal and true and staunch to whatever is required owing to the exigencies of the War and the necessities of the situation, they will press through the Members of Parliament upon the attention of the Government there this question of the double income tax which is prejudicing them in connection with the development of their British Empire trade. Increase and development of trade after the War is over is, however, essential as after the forty-five per cent. profits tax has gone out of existence when the War ceases, in some form the necessary increased taxation is to be found to enable us to pay our way with the increased indebtedness of a good many millions of money put upon the people there for the purpose of helping to win out this War.

I express an opinion on this point with diffidence, but I think the course that is suggested by Sir Robert Chalmers is, under the circumstances, the only one that can be followed. There must be consideration extended to the Treasury, and I think there will be by the people whom we represent, and by ourselves too, due to the circumstances which have compelled them to deplete their staffs for fighting purposes.

Sir ROBERT CHALMERS: Yes, it has been principally for fighting purposes.

Sir JOSEPH WARD: I think we are full-hearted in our concurrence as to the necessity for that, and we are delighted with the way in which it has been carried out by the staffs of the Departments here and in our own countries too. It appears to me, Mr. Long, that the Conference should pass a Resolution directing the attention of the British Government and of the Chancellor of the Exchequer (Mr. Massey and I have already done so personally, and probably other gentlemen at this table have also done so) to this old and sore story which existed prior to the War and still continues. I represented it on two former occasions to two Chancellors of the Exchequer, but then, of course, with the necessities of the purse having to be provided for, they could not change the incidence of taxation sufficiently to warrant the repeal of the double imposition. It looks to me as if this Conference should pass a Resolution urging upon the Chancellor of the Exchequer, from an Empire standpoint, that the continuance of a dual system of taxation upon a British subject,



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because he transfers part of his capital for a time from one portion of the Empire to the heart of the Empire should cease.

That, particularly after the War, is going to be so heavily felt by people that more of them will, in my opinion, in order to avoid the double taxation transfer their head offices to a neutral country.

Mr. MASSEY : They are doing it now.

Sir JOSEPH WARD : It is already being done. I know of one important concern, and of another important concern which is well known to gentlemen here, which has transferred its headquarters to the United States of America. I know of men who at present are awaiting a decision upon this question of double income tax before they decide whether they are going to take a similar course or not. I do not believe any of them want to go outside the confines of the British Empire, but after all in this world it has to be remembered that if the taxation upon great organisations with large capitals invested in them becomes sufficiently oppressive to make the return on the capital not reasonable in relation to the amount they have earned, and also taking into account their personal labour in normal times, it really becomes not worth their while to go on, and in the ordinary course they either get rid of the business, split it up and get other people to take it on, or they look round and see in what place they can get a reasonable amount of return as the result of their efforts in order to make it worth their while to go on with it.

One illustration came before me quite recently regarding an old and great Australian business, which disclosed a position very similar to what I have indicated. They are now considering, and seriously too, the removal of their head office to the United States. I think we have all to recognise that in the changed world which has been brought about by this great War it is going to press us in some respects to change the system of taxation which up to now has existed in different portions of the Empire, in the Homeland as well as in the Oversea Dominions. No system of taxation is agreeable. The system was not agreeable to people in pre-war days and it is going to become more oppressive than ever in the after-war days. I think it is only fair to say that the Chancellor of the Exchequer, when Mr. Massey and myself saw him, expressed his sympathy in the direction of doing what is urged here. The difficulties due to the War time were naturally before him and he pointed them out to us, and while I am very anxious to see this change, as one who wants to be fair both to the people in our own country and those with whom we have to deal, I personally am of the opinion that during the actual currency of this War until the British Chancellor of the Exchequer knows where he is going to stand at the end of the War he cannot run the risk at present. Even although it is unpalatable to us and very unfair in its incidence to the people who are concerned, I do not believe in the present circumstances that the Chancellor of the Exchequer, on behalf of the British Government, dare run the risk of giving away twenty, thirty, or forty millions of the revenue of this country. If it were done at the present moment it would necessitate the imposition of an equal amount of taxation. It would in that respect be pretty hard upon the people. But as soon as an inquiry can be held into this matter I am not only hopeful that a method may be found to relieve the British taxpayer from paying the double income tax, but I am very hopeful that the Treasury, with its wonderful resourcefulness, may, as soon after the end of the War as is possible, be able to advise the Chancellor of the Exchequer in time so that we should know in the different countries what is intended to be done in that respect, because we have all to shape our local taxation, when we have a knowledge of what is intended to be done here in connection with this double income tax. The tax is unjust and inequitable. It is prejudicial to the best interests of the Empire and ought to go for ever as soon as possible. I am satisfied that it cannot be defended and must be done away with.

I do not want to take up the time of the Conference upon the question, Sir, except to say that I know it has been pressed upon the members of the Government



Sir JOSEPH WARD—*cont.*

of New Zealand from the North Cape to Stewart Island, that is from end to end of the country, and there is a very very earnest and anxious feeling entertained by the business people also in this country—which is probably better known to you than it is to us—and by the business people in our countries too—that the continuance after the War of the old system of double income tax on a British subject within the British Empire is going in the long run to have a very disastrous effect.

I feel it my duty upon an occasion such as this to say what I think, so that those who are considering the matter may have our views before them and I trust they will look at it from our standpoint as well as from theirs.

CHAIRMAN: Do you mean to move a Resolution?

Sir JOSEPH WARD: No. Mr. Massey will.

Mr. MASSEY: I think it is hardly fair to continue the discussion at present. There is a good deal to be said about this subject upon which I feel very strongly, and I shall probably ask the Members of the Conference to agree to a Resolution which should come into operation at the earliest possible moment. The Members of the Conference know the position with regard to finance, not exactly as well as the representatives of the Treasury, but generally, and we know that money must be got; but we do think that the burden of taxation should be distributed fairly, and that is not the case at present.

Mr. ROGERS: Probably Canada has a stronger reason than any of the other Dominions.

CHAIRMAN: Is it worth while continuing the discussion now?

Mr. HAZEN: I hope Mr. Massey and Sir Joseph Ward will prepare a Resolution to be submitted to the Conference on the subject, because I feel it should not be allowed to drop here simply on the statement of Sir Robert Chalmers that the Treasury cannot do anything about it because the officials are too busy.

Mr. MASSEY: No, personally I should not accept that. I understand the point of view of the other side as well as our point of view. I thought I had made it clear I had not the faintest idea it was coming up to-day, and I had not even prepared a Resolution, and I have not read the correspondence which has come to me, so that I do not think it would be fair to people who have communicated with me, although I think I understand the subject, to go on with it at the present moment.

Mr. CHAMBERLAIN: I think, if I may say so, a little too much is being put upon the officials. The officials of the Inland Revenue in this country are having to collect a taxation many times greater than what they were collecting just before the War, and they are having to do it with a depleted staff in consequence of the number of men who have been allowed to join the colours. But that is not really the whole difficulty. How is the Chancellor of the Exchequer himself, at the present time, to give his time to the recasting of the whole income tax law of the British Government? It is one of the most complicated systems of taxation, depending very largely on judicial decision. At any time it would be a most difficult subject to deal with, and it is, no doubt, more difficult, and every grievance that arises is more aggravated by the very high rate of tax which is now in force. This double income tax grievance is, of course, enormously increased by the very high rates which are in force, but I would not like it to go forth that it is merely because the Treasury officials are too busy to attend to the business of the Empire that this matter is not taken in hand at once. I venture to say that when it is taken in hand it will require the best brains of the Chancellor of the Exchequer, and probably of a good many other people besides, before anything like a satisfactory solution is arrived at; and all these people at the present time are working to the full extent which human nature permits.

Sir EDWARD MORRIS: If Mr. Chamberlain means by that that the difficulty will be to find sources of revenue, and that the inquiry by the Treasury will be connected with the difficulty of finding new sources of revenue —



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Mr. CHAMBERLAIN : No, that is the least part of it.

Sir EDWARD MORRIS : Then what about the general principle? Cannot the general principle be decided, and afterwards find the new source of revenue?

Mr. CHAMBERLAIN : It is not the finding of the new sources of revenue which is the difficulty, though that is a difficulty, but the question of remodelling the whole of your Income Tax Acts. What you do in this case will bring you up at once against questions of the most serious consequence with other countries. I am sure anyone who thinks about it will see that it is so. If you are going to recast the taxation as between ourselves and the Dominions, you will at once raise questions as regards our right to tax, and our practice of taxing, foreigners resident here, or British income derived from foreign countries. They are very big questions. I do not want in the least to prejudge the decision. All I am wanting to urge is that there are questions which cannot be settled hurriedly, which are really questions as difficult, I think, as any you could find in the realm of fiscal policy.

Mr. MASSEY : Where there is a will there is a way.

Sir GEORGE PERLEY : If we have finished the general question, there is a special point I would like to bring up while the Treasury officials are here. We are all being urged, or all parts of the Empire are being urged, to spare as many ships as possible to come here and trade between this country and the various Allied countries. The question has arisen whether Canadian ships, for instance, which come over here, either voluntarily or after being requisitioned by the Canadian Government for that purpose, will be liable to pay the British Income Tax and the Excess Profits Tax here. I am informed that the Income Tax assessors say that as the agencies or management of these ships during the period when they are so engaged are in the hands of British agents, such steamers will be liable to pay these taxes here. As the Canadian Government is being urged to requisition ships for that purpose, and as the individual owners send them over to help out the situation, I hope that it will not be suggested that they should, under those circumstances, be liable to pay the Income Tax and the Excess Profits Tax here.

Sir ROBERT CHALMERS : In reply to that I may say that it would depend on an infinite number of special circumstances. Primarily, I think, speaking off-hand, it would depend upon where the control of the business was, and where they make the contracts; but if you, Sir George, will address the Inland Revenue they will give you a very complete answer on the facts, and it could be further discussed if there was any trouble about it. That is not so big a question as the double income tax.

Mr. HAZEN : It is an important question.

CHAIRMAN : Most important.

Mr. HAZEN : It is most important for this reason, that the Canadian Government is being requested from time to time by the British authorities to requisition ships which are on the Canadian Register, and the constitutional right to requisition is vested in Canada alone and not in the Imperial authorities. Therefore, they ask us to requisition these ships. In many cases we do so. There have been cases where we have declined to do so because we felt under the circumstances it would be too great an interference with the trade, which is absolutely essential to the Dominion, to do so. If when we requisition those ships and they come over here they are to pay tax into the British Exchequer, it raises a question which is a very serious one and one which might at times add weight in the determination of the question of whether we should requisition those ships or not.

Sir ROBERT CHALMERS : Quite so; that would depend on the facts of any particular case—on control and on the origin of the contract, and if there is any trouble about that I will promise that very careful consideration shall be given to it, but it must be a practical case.



Mr. CHAMBERLAIN: Surely, this is a case for conference between the Shipping Controller, the Dominions, and the Treasury; it is not a question to be dealt with in the case of each particular ship and on technical grounds. It is a broad question of policy. The Shipping Controller is pressing for the requisitioning of ships and the two Departments of the British Government must conform their policy the one to the other.

Sir ROBERT CHALMERS: Quite so; I am much obliged to you, Sir, for mentioning that.

Sir GEORGE PERLEY: What I should say is that if the law should impose such taxation the case of New Zealand would be that if they had to pay the Excess Profits Tax in both places, they would be worse off than if the ship were not employed at all—if they had to pay sixty per cent. here and forty-five per cent. Excess Profits Tax in New Zealand.

Sir JOSEPH WARD: I am very glad to tell you, Sir George, although it has nothing to do with the work here, that an arrangement between the Inland Revenue Department, the Chancellor of the Exchequer and New Zealand, which is quite satisfactory from our point of view, has been made and which, I understand, is to be dealt with in an effective way, by which we will prevent the possibility of taking 105 per cent. out of anybody between the two of us from a man who only earns 100 per cent.

Mr. ROGERS: Are you under preferential treatment?

CHAIRMAN: May we adjourn this and take Mr. Massey's Resolution as to Earl Grey's scheme for a Dominion House?

(Agreed.)

#### Earl Grey's Scheme for a Dominion House in Aldwych.

Mr. MASSEY: I do not think I need detain the Conference, Mr. Long, upon this question. I am bringing it up on behalf of, and at the request of, Earl Grey, a former Governor-General of Canada, and a gentleman whose name is as well known in the Oversea Dominions of the British Empire as in the United Kingdom itself. In acting for him, let me say that I am quite sure I express the opinion of the other Members of the Conference, as well as my own, when I say that there is no more ardent and enthusiastic Imperialist than the gentleman whose name I have mentioned, and one who has never missed an opportunity of advancing the Imperial cause.

A few years ago Earl Grey noticed that the offices of the different Dominions and Dependencies of the Empire were spread all over London, to the great inconvenience of the British people and of the people from the different Dominions themselves. I do not need to go through the list, although I have it here, but I will just take a few of them. Canada, for instance, had its offices in Victoria Street; New Brunswick in Southampton Street; Prince Edward Island in Westminster; New South Wales in Cannon Street; Victoria in Melbourne Place; Queensland in the Strand; Western Australia in Victoria Street; New Zealand in Victoria Street; British Columbia in Salisbury House, and Ontario in the Strand. Earl Grey and a number of gentlemen acting with him, who thought as he did, conceived the idea of making use of a most magnificent site right in the centre of London for the purpose of what we have been in the habit of calling a great Dominion House—a great Dominion edifice—in which the whole of the Dominions, and, possibly, the Dependencies of the Empire, might have their offices at which their representatives would always be present—I am now speaking of their commercial representatives—and on a site which would be a great convenience to the people in the heart of the Empire itself and to the visiting citizens from the other Dominions and Dependencies. The site they had in view is known as the Aldwych site. It is the property of the London County Council, and the suggestion put forward was that it should be leased to those gentlemen who were interesting themselves in the Dominion Offices at, not exactly a nominal rent, but a reasonable rent—one they could afford to pay.



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I may mention here the names of the provisional Directors, beginning with the Right Honourable the Earl Grey; His Grace the Duke of Norfolk; Mr. George Beetham, of New Zealand (a very prominent citizen of New Zealand, trusted and well known in every part of it); Mr. Harry E. Brittain—I do not think I need describe him to Members of the Conference; Mr. George McLaren Brown, a Canadian, I understand; the Right Hon. Lord Chelmsford; at that time Sir John Henniker Heaton was also taking an active interest in it, but he has gone to “the bourne from which no traveller returns,” and we unfortunately shall not have his assistance in this or in any other respect; the Right Hon. Sir Leander Starr Jameson, of South Africa; the Right Hon. the Earl of Plymouth, and Colonel Sir Edward Ward, Baronet. Those were the provisional Directors.

The option obtained from the London County Council was to secure from the Council a building agreement for a lease of the whole of the site which I have indicated for a term of ninety-nine years from the 25th December 1913, or any other date to be arranged, at a rent the particulars of which are set out in the book before me,\* and which I do not need to enter into at present. Quoting from the proposals of Earl Grey and the provisional Directors, they say—and I am only going to quote very briefly indeed: “The Dominion House which it contemplates would be an active living part of the Imperial organism. It would be one of the great realities of the Constitution—as quickening to every thoughtful mind as Westminster Abbey, the Houses of Parliament, or the Courts of Justice. Under its great tower men would know that Dominions remoter than the Pole were discharging some of the great functions of the various economy. All those connections of trade, emigration, and finance that unite the Dominions with the Motherland would radiate to and from this impressive focus.”

Its aims are thus stated by Earl Grey in a letter to the Improvements Committee of the London County Council: “It would be possible . . . to concentrate on the Aldwych site the Dominion Government Offices, now widely distributed in different parts of London. . . . It would also be possible to focus the attention of the home consumer more effectively on the quality of the products grown in our Oversea Dominions. . . . It would also be possible to include in the buildings to be erected on the Aldwych site accommodation which would meet, not only the official requirements of the Dominion Governments, but the commercial and social needs of their respective peoples.” Then the pamphlet goes on: “The second purpose—that of a Permanent Exhibition of Empire products—is of well-defined value, both for the extension of Dominion trade in the British market and for the guidance of emigration.” Then there are a number of particulars given with regard to the option given, which I am prepared to read but which I do not think it necessary for me to repeat.

The proposal, I may say, attracted a very great deal of attention, not only in the United Kingdom but in every part of the Dominions, and there has been supplied to me a list of leading articles and some of the leaders from a very large number of the principal papers in the three kingdoms. I am not going to quote them, but I am quite prepared to show them to anyone who takes sufficient interest in the matter to read them. Amongst others which supported the proposal were the “Times,” the “Daily Telegraph,” the “Morning Post,” the “Daily News,” the “Daily Chronicle,” the “Standard,” the “Pall Mall,” the “Financial News,” the “Northern Whig,” and the “Globe.” I have read the articles and they all strongly supported the proposal at the time it was put forward, and I do not know that they have changed their opinions since that date; but if the Press represents public opinion—and I am not prepared to admit that any individual paper represents public opinion, because very often it does not—I am prepared to say that when such a large proportion of the papers of any country expresses an opinion in favour of some proposal, they must undoubtedly have public opinion behind them. I do not think there is any going back from that.

I am not going to follow this point further. I do not wish to take up the time of the Conference, and I am sure Earl Grey would not desire me to do so. I may,

\* Entitled “The Dominion House.”



Mr. MASSEY—*cont.*

however, call the attention of Members of the Conference to the fact, because it has been admitted, that since the proposal was first put forward in 1913 the position has changed to a certain extent. The War itself has brought about an enormous change, and I know perfectly well that even if this proposal were proceeded with it is impossible to do so during the War period. But there have been other changes. The Government of the Commonwealth of Australia have erected very elaborate buildings on their own account for the purposes of the Australian Government, and I do not know, because unfortunately we have not a representative of Australia present, whether they would be prepared to dispose of the buildings which they have erected and into which they have just entered and take up along with the other Dominions a scheme such as that proposed by Earl Grey and his friends. I am not able to express any opinion or to make any statement with regard to that point. New Zealand has done the same thing. We were sadly cramped for room in the offices we formerly occupied in Victoria Street, and it became urgently necessary that we should make a change in view of the increasing business of the Dominion and the increasing number of the staff. Arrangements were entered into some two or three years ago, prior to the War really, for a site in the Strand. Probably Members of the Conference will have noticed that site, because I am glad to say that, owing to the attractions arranged by the High Commissioner and his staff, it attracts a good deal of attention from the people passing backwards and forwards, and especially from the Dominion visitors, not forgetting the soldiers. Very convenient offices have been erected there for the purposes of the New Zealand Government and we are already in possession. I do not say that the Strand site is the best site in London; probably it is not. Personally, I would have liked a corner site or some more commanding site, but still I am bound to say it is in a good position and the offices are very convenient. Speaking as head of the Government of New Zealand, I could not commit that Government or Parliament to give up these offices even for the purpose of joining in such a proposal as that put forward by Earl Grey; it is a matter which would have to be dealt with in New Zealand, and I cannot possibly deal with it here.

I do not need to follow the position out further. I said I would not take up the time of the Conference for any lengthy period, and I have not done so. I have simply placed the bare facts before the Conference, and I should like to hear the opinions of the gentlemen present. But I would like, before leaving the matter, just to remind Members again that this is an Imperial conception brought forward for Imperial purposes, and, if it had been possible to give effect to it, I believe it would have been a very good thing to have done.

Mr. ROGERS: Under normal conditions it might have been a very laudable undertaking and very desirable in many ways, but it was a very expensive proposal and one to which we gave grave consideration in Canada, but were never able to arrive at any conclusion that it would be wise to undertake the responsibility of joining in such a proposal as that which is presented, and especially now, as Mr. Massey has said, in view of War conditions, I do not think it would be possible for us to give it much consideration in the hope of being able to join, at the present time at all events. Canada is probably in a worse position for accommodation in England than any of the other Oversea Dominions. We are very anxious to find a place which would be a suitable home for the Dominion of Canada, but I think we would have to regard this proposal as altogether too large for our immediate necessities. When we do find a home we will probably follow the example of the other Dominions and find a location of our own.

Sir ROBERT BORDEN: I concur in all that Mr. Massey has said with regard to the fine services which Earl Grey has rendered to the Empire. I also appreciate the fine conception, to which he has devoted so much time and energy, of having a building in London in which the representatives and staffs of the various Dominions should be housed and which, by reason of its commanding site, and also by reason of the edifice itself, would be impressive to all those who had the opportunity of seeing it. But the situation was complicated, in the first instance, by the fact that Australia had already made arrangements for the erection of a large building on



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a site immediately adjoining, and therefore the question came down to a consideration of what New Zealand, South Africa, Newfoundland, and Canada would be prepared to do. I am under the impression that it would be impracticable to proceed with any effective consideration of the proposal at present. It may also be said, from the standpoint of the various States and Provinces, that a variety of sites where the opportunities to emigrants are set forth is attended with certain advantages because a greater number of people may become acquainted with the resources and opportunities in the various Oversea Dominions than would be possible if they were all housed on one site. In Canada we have various Provinces with sites selected in commanding positions, sometimes not very near each other, and in that way the advantages offered to persons who have in mind emigration to Canada are perhaps made known to a greater number of persons than would be possible otherwise. However, the conception which Earl Grey had was undoubtedly a very fine one, and too much credit cannot be given to him for placing the proposal in an effective way before all the Dominions concerned. I am inclined to think that it is not a proposal which we could take up at present with any idea of making much progress with it, and I agree that it should be deferred at present.

Mr. MASSEY: The difficulty is with regard to an extension of the option.

Mr. HAZEN: One of the Canadian Provinces, British Columbia, has already erected a very handsome building of its own and would not be disposed, I fancy, to come into a scheme of that sort.

CHAIRMAN: If you do not desire to take it up now, I imagine all you can do is to adjourn it *sine die*.

Mr. MASSEY: No. I should like to get the opinion of General Smuts, as representing South Africa, and then I propose, after having heard the various opinions, to draft a Motion thanking Earl Grey for his conception, and for all he has done, and saying the time has not yet come.

Mr. HAZEN: I do not think we should pass a Resolution which would convey to Earl Grey the impression that we are in favour of, or endorse, the idea. If we do that it might encourage him to go on and get a further option upon this site.

Mr. MASSEY: We can make that quite clear.

Mr. HAZEN: I am not at all prepared to say that even if the times were different and if they were normal the Government of Canada would be prepared to go in for a scheme of this sort. I think in the first place there is doubt as to the site being a good site, but apart from that I know there is in Canada a public opinion along this line, that it is better that the different Provinces should have homes and headquarters of their own rather than that they should all be grouped under the same roof. I am not going to elaborate the reasons for that, but I know there is an opinion of that sort. I do not know that it is the opinion of the majority, but there is quite a strong public opinion to that effect. Therefore, whatever we do, I do not think we should do anything which would encourage Earl Grey in the idea that when the War is over this scheme would be proceeded with, or that we are in favour of proceeding with it.

CHAIRMAN: Mr. Massey has brought the matter before the Conference, but has told us that New Zealand has its own office and that he is not prepared on behalf of the Government of New Zealand to fall in with the suggestion without consulting his Government. The Commonwealth of Australia have established a very fine building—I was present at the opening of it—and I do not know whether they would consider abandoning that building in order to take part in the new scheme. Canada takes the view that they could not commit themselves, and that it would not be fair to Earl Grey. Therefore, cannot we deal with it by Resolution now?

Mr. MASSEY: I want to thank Earl Grey.

Sir EDWARD MORRIS: I think a Resolution thanking Earl Grey would be about as far as we can go. I agree with Mr. Hazen that it would be very unfair to keep the thing in the air any longer.



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CHAIRMAN : It has nothing to do with us ; it is a matter for the Dominions.

Mr. ROGERS : I agree with that proposed Resolution.

CHAIRMAN : How long are they going to keep the site open ?

Mr. MASSEY : I think the time is about up now.

General SMUTS : They had an option for three years.

Mr. HAZEN : That was the option first, and then there was an extension of that option in the hope that something might come of it.

General SMUTS : I do not think we should in our Resolution encourage the matter.

Mr. MASSEY : The option was for three years from the 24th June 1913.

CHAIRMAN : Then it is up now.

Sir JOSEPH WARD : I think we ought to thank Earl Grey for his offer, and state that the Conference cannot see their way to deal with it.

CHAIRMAN : I think he ought to be allowed to realise it. I feel we ought to let Earl Grey and those co-operating with him know the view of the Conference.

Sir ROBERT BORDEN : If Mr. Massey would give his views on the Pacific question some of us could draft the Resolution with regard to the Dominion House.

\* \* \* \* \*

CHAIRMAN : The suggested Dominion House Resolution is as follows :—

“The Conference, in expressing to Earl Grey its deep appreciation and warm thanks for the great interest that he has taken in the proposal to secure the Aldwych site and to erect thereon a building suitable for the purposes of the Dominions, considers that it is not practicable to proceed with the proposal under existing conditions or in the immediate future.”

(*Agreed.*)

Adjourned to Monday next at half-past ten o'clock.

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## **ELEVENTH DAY.**

**Monday, 23rd April 1917.**

THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 10.30 A.M.

### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable Sir Albert H. STANLEY, M.P., President of the Board of Trade.

The Right Honourable C. ADDISON, M.D., M.P., Minister of Munitions.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

The Right Honourable Lord ISLINGTON, G.C.M.G., D.S.O., Under Secretary of State for India.

The Right Honourable Sir R. CHALMERS, G.C.B., Permanent Secretary to the Treasury.

Sir L. WORTHINGTON-EVANS, M.P., Parliamentary Secretary, Ministry of Munitions.

Sir H. LLEWELLYN SMITH, K.C.B., Permanent Secretary, Board of Trade.

Brigadier-General F. A. G. WARE, C.M.G., Director of Graves Registration and Enquiries.

Mr. J. S. RISLEY, C.B., Legal Adviser, Colonial Office.

Mr. H. FOUNTAIN, C.B., C.M.G., Assistant Secretary, Commercial Department, Board of Trade.

Sir W. H. CLARK, K.C.S.I., C.M.G., Comptroller-General of the Commercial Intelligence Department, Board of Trade.

Mr. C. W. FIELDING, Chairman of the Metals Economy Committee, Ministry of Munitions.

Mr. P. ASHLEY, Board of Trade.

Captain J. R. BROOKE, R.G.A., War Office.

Lieut.-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet, and Private Secretaries.



11th Day.]

CARE OF SOLDIERS' GRAVES.

[23 April 1917.]

\* \* \* \* \*

**Care of Soldiers' Graves.**

CHAIRMAN: We begin this morning with the Draft Charter relating to Graves, in which certain changes have been made in order to meet the views of the Conference expressed the other day. Some of the changes are made in order to deal with questions raised by the representatives of India. Then some subsections have been introduced to enable the Commission to acquire and hold sites for the erection of permanent memorials, which may not be placed in actual cemeteries, but on such places as Vimy Ridge, High Wood, or Delville Wood. The number of members other than official members, which now stands at "six" in Part III., Clause 3, is proposed to be changed to "eight." It is thought expedient to obtain the consent of the Conference for making that number "eight," if necessary, in order to avoid being absolutely bound by the smaller number of "six." Lord Derby, the Secretary of State for War, had intended to be present to-day, but he has been suddenly prevented from coming, and he has asked me to express his very great regret to the Conference that he cannot be here, and to tell the Conference that, had he been here, he proposed to call their attention to what he and his advisers anticipate may happen, namely, that later on there may be a good deal of friction in regard to rival suggestions for monuments and memorials upon either artistic or architectural grounds, and on matters of taste. After a great deal of discussion and consideration Lord Derby proposed to ask the Conference if they would agree that the Director of the National Gallery and the Director of the Royal Botanical Gardens, Kew, should be asked to let us avail ourselves of their services; and it is proposed, if the Conference agree, to nominate them among the eight members. Lord Derby intended to have made that statement himself, and begged me to make it for him, and to say that, if the Conference thought fit to approve, it would be of material advantage to the Commission to have the services of those two gentlemen. They are very well known, I think, throughout the Empire, because whoever fills the office is generally selected on account of his knowledge of art, in one case, and of the best kind of planting and general arrangement of places like cemeteries in the other.

Mr. HAZEN: I went over this Charter to some extent with General Ware on Saturday, but these amendments I have seen for the first time this morning. Yesterday I wrote a letter after I left General Ware calling his attention to a change which I thought would have to be made in Part VI. I suggest an amendment there in Clause 1, subsection (1). That clause reads now "To receive all funds which may be granted annually or otherwise by the Legislature of any part of Our Dominions or any of Our Protectorates."

CHAIRMAN: Would it not be better to take the amendments as they come and then we shall come to yours in due course?

Mr. HAZEN: Perhaps it would be better.

General WARE: The amendments which were made as a result of the instructions given by the last meeting of the Imperial War Conference have been introduced into the Draft Charter and the revised Draft Charter has been circulated. Those amendments have therefore been seen by all Members of the Conference. There are further amendments which were circulated yesterday or the day before which do not appear in the revised Charter. These amendments were drafted to meet the wishes of the representatives of India, who pointed out that it was essential that the word "Graves" should cover cremation grounds as the great majority of Hindus are cremated after death, and not buried, and the site of the funeral pyre has a sanctity of its own in Hindu sentiment. At the same time these amendments make it possible, as Mr. Long has pointed out, for us to hold or acquire sites not in cemeteries for the erection of permanent memorials. We had in view such places as Mr. Long has mentioned. As far as I can see no question arises on which there is likely to be disagreement with regard to these amendments, as they are perfectly simple and straightforward.

Mr. CHAMBERLAIN: I do not know whether the Conference would think it necessary to move each of these amendments separately which have already been circulated in typewritten form, or whether the Members of the Conference, for the sake of brevity, would consent to have them moved *en bloc*.



23 April 1917.]

CARE OF SOLDIERS' GRAVES.

[11th Day.

Sir JOSEPH WARD: Yes, after we have gone through them.

Mr. HAZEN: That would save time.

CHAIRMAN: The first amendment is in italics in the first introductory paragraph, and I believe nothing arises on that. The next amendment is in italics in the next paragraph, namely, the words, "Belgium, in the Gallipoli Peninsula, in Mesopotamia, in parts of Africa not within Our Dominions, or in any other foreign territory."

Sir JOSEPH WARD: That meets the point which was raised in the general discussion, and is perfectly satisfactory as far as New Zealand is concerned.

Mr. HAZEN: We mention Belgium; why should we not mention France?

Sir ROBERT BORDEN: It has been mentioned before.

Mr. HAZEN: Yes, that is true.

General WARE: It is settled in France already.

Mr. HAZEN: Yes, that is all right.

CHAIRMAN: Then in the list of the proposed members, in conformity with the instructions of the last meeting of the Conference, the words in italics are inserted as to the nominees of the Dominion Governments, and the words below naming the High Commissioners are struck out.

Sir JOSEPH WARD: If you are going to insert the Director of the National Gallery and the Director of the Royal Botanical Gardens, Kew, do you not want to make "five" into "seven"?

General WARE: It is not proposed that they should be "official" members, but that they should be two of the additional six, or eight, members which are referred to later on.

CHAIRMAN: Then in Part II. there are new words in italics: "In the event of a vacancy in the office of President, from whatever cause arising, such vacancy shall be filled," the words struck out being "On the resignation or death," and so on, because otherwise the wording would be rather blunt. In Part III., Clause 2, the word "persons" is inserted instead of "person"; and the words "Governments of Canada, Australia, New Zealand, South Africa and" come in. Those alterations are consequential.

Sir JOSEPH WARD: Do you not require to add "the British Government" as well as "the Governments of Canada, Australia, New Zealand, South Africa, and Newfoundland"?

Sir ROBERT BORDEN: Their appointments are designated already.

Mr. CHAMBERLAIN: They are included in "the persons for the time being holding the offices hereinbefore mentioned."

Mr. HAZEN: Yes, they are set out at the top of the second page.

CHAIRMAN: Then in Part IV., "Organisation," in Clause 2, subsection (2), it is stated that "The Vice-Chairman of the Commission shall be appointed by the Commission": and in Clause 3, subsection (2), "The Secretary and Assistant Secretaries shall be appointed by the President."

Sir ROBERT BORDEN: There are some persons in the service of the Oversea Dominions who have rendered very effective work in these matters already. What is the proposal with regard to the Assistant Secretaries? This provision directs that they shall be appointed by the President. That means really that they would be appointed by the persons, whoever they may be, who direct the work of the Commission. What is the proposal with regard to their appointment?

General WARE: That has not yet been thoroughly thought out.

Sir ROBERT BORDEN: I direct attention to this in order that it may be taken into consideration. That is my whole object.

CHAIRMAN: Do you object to the words?

Sir ROBERT BORDEN: I have no objection to the words. I merely call attention to the fact that in the Dominions there are certain persons eminently qualified to assist in the work of the Secretariat, and I desire to point out that it would be inadvisable to select the Assistants entirely outside the Dominions.



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CARE OF SOLDIERS' GRAVES.

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General WARE: Yes, but by "in the Dominions" you do not mean people who are not actually here at the moment; they might be Canadians who are actually at work in London, I take it?

Sir ROBERT BORDEN: Yes.

Sir JOSEPH WARD: I suppose that applies to all the Dominions?

Sir ROBERT BORDEN: I made it in that sense.

CHAIRMAN: Will you take a note of that; because it is very important?

General WARE: Most important.

CHAIRMAN: Then in Part IV., Clause 5, subsection (3) the word "Official" has been inserted instead of "ex-officio."

Mr. CHAMBERLAIN: And in Part V., Clause 1, subsection (4), in line 2, the word "in" should be "of," and the words run "officers or men of Our said Forces."

Sir JOSEPH WARD: That is quite right.

Mr. CHAMBERLAIN: Then subsection (4), in the same clause, add the following new subsection:—

"To acquire and hold land for the purpose of providing or erecting permanent memorials elsewhere than in such cemeteries as aforesaid in honour of any officers or men of Our said forces who shall have fallen in the present War."

General WARE: That also covers the Indian question.

CHAIRMAN: Is it your pleasure that those words should be added?

*Agreed.*

CHAIRMAN: Next, after subsection (8) of Clause 2 of Part V., insert the following:—

"To take such steps as may be necessary under the local law of the territory concerned to enable the Commission to hold any land other than any such cemetery as aforesaid for the purpose of providing or erecting any permanent memorial in honour of officers or men of Our said forces who shall have fallen in the present War."

Mr. CHAMBERLAIN: Yes, and the remaining subsections in this clause are to be renumbered as (10) to (15).

CHAIRMAN: Yes.

*Agreed.*

CHAIRMAN: After subsection (6) of Clause 3 of Part V., insert at the end the following:—

"In the construction of this part of Our Charter the word 'cemetery' may or shall include a Hindu or other non-Christian cremation ground, and any action which may be taken in regard to a cemetery under the provisions of this Our Charter may be taken in regard to such a cremation ground in so far as may be consistent with Hindu or such other religious customs as may be applicable in the case of any such cremation ground."

*Agreed.*

CHAIRMAN: Then in Part VI., "Financial," subsection (2) of Clause 1 comes out.

Mr. HAZEN: There is another amendment required there in subsection (1) of paragraph 1 of Part VI. It says:—

"To receive all funds which may be granted annually or otherwise by the Legislature of any part of Our Dominions or any of Our Protectorates."

It does not provide for the reception of any funds which may be granted by the Parliament of Great Britain. I drew an amendment as to that, which I sent to General Ware, and perhaps he might read it.



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CARE OF SOLDIERS' GRAVES.

[11th Day.]

Mr. CHAMBERLAIN: But when His Majesty speaks of "Our Dominions" it surely includes Great Britain?

Mr. HAZEN: You speak of the Parliament of Great Britain and of the Parliament of Canada.

Sir ROBERT BORDEN: "Legislature" does include Parliament, although "Legislature" is sometimes used in a narrower sense.

Mr. HAZEN: In Canada we speak of the Parliament of Canada and of the Legislatures of the different Provinces.

Mr. CHAMBERLAIN: Yes, but I do not think we speak of the Parliament in any Crown Colonies or Protectorates.

Sir ROBERT BORDEN: I think the word "Legislature" is used in two senses. There is the broad sense in which it includes all Parliaments and all legislative bodies, and then there is the minor sense in which it is used sometimes in contra-distinction to Parliament, particularly in our Dominion, where we have the Provincial Legislatures and the Federal Parliament. I think where you use the term "Legislatures" in respect of all "Our Dominions" it would probably include the Parliament of the United Kingdom.

Mr. HAZEN: This clause uses the word "Dominions"—"the Legislature of any part of Our Dominions." You do not speak of Great Britain as a Dominion.

CHAIRMAN: It is part of the King's dominions.

Sir ROBERT BORDEN: The King's dominions are included.

Mr. HAZEN: And the Protectorates.

General WARE: Would the point be met if the word "Dominions" were changed to "Empire"? That would cover the second part.

CHAIRMAN: "Any part of Our Empire."

Sir JOSEPH WARD: That would do it absolutely.

Mr. HAZEN: Yes.

Sir EDWARD MORRIS: I do not know that there is any legal definition of "Empire."

Sir ROBERT BORDEN: We used it once in a statute in Canada, and I looked up at the time the question whether or not it had any legal meaning. The word "Empire" has no legal meaning at all. It has been used in one statute only in Canada.

Sir EDWARD MORRIS: It is better to keep in the word "Dominions."

CHAIRMAN: You had better keep to the word "Dominions."

Sir ROBERT BORDEN: The use of the word "Dominions" is technically correct.

Sir JOSEPH WARD: The word "Our," of course, means the King.

Sir ROBERT BORDEN: The King is speaking.

Sir GEORGE PERLEY: I would like to see the word "Parliament" put in there. To have the Parliament of the United Kingdom as a Legislature is rather unusual, it seems to me.

Sir ROBERT BORDEN: Why? The term "Legislature" includes in its broad sense all bodies which carry on legislative functions. There is absolutely no doubt about that. It is also used in a narrower sense, particularly in Canada.

General WARE: That was the view of the draftsman, who went into these points very carefully. I am not a lawyer, Sir George Perley. The draftsman advised that it was used in the broadest possible sense on purpose to cover this point.

Sir ROBERT BORDEN: I prefer it as it is.

Mr. HAZEN: The amendment I suggested is something like this: "which may be granted annually or otherwise by the Parliament of Great Britain or the Parliaments and Legislatures of any part of Our Dominions." I must say that "Legislature" is used by us in a more restricted sense than the term "Parliament." I have not heard the Parliament of the United Kingdom termed as a "Legislature," though in the broad sense it may be so.



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CHAIRMAN: I think it is rather risky to make these changes. It is really a question of draftsmanship and interpretation. The War Office have had the best advice they can get and I am inclined to leave it to the draftsman.

General WARE: I have carefully noted the views of the Conference, and if it is necessary to make the words clearer it can be done, but is it not a little risky to embark upon drafting ourselves? I cannot express an opinion myself without consulting the draftsman.

Mr. HAZEN: Some of us have had experience of drafting legislation.

CHAIRMAN: Yes, I have drafted a good deal, but the more I have drafted the more wary I have become of interfering with the draftsman.

Sir ROBERT BORDEN: I should like the expression to stand as it is at present. I think the word "Legislature" is broad enough to include the Parliaments and the legislative bodies, whatever they may be; all bodies which exercise the functions of legislation.

Mr. CHAMBERLAIN: I read it, as Sir Robert Borden does, as covering the legislative authority, be it Parliament or be it anything else.

CHAIRMAN: There is no question about the word "Legislature" being quite right as far as New Zealand is concerned. How it applies in Canada is another question.

Sir ROBERT BORDEN: We use the name "Legislature" for the legislative authorities of the various provinces as distinguished from the term "Parliament," which is restricted there to the federal legislative authority; but that is only a minor use of the term and it would not affect this draft.

CHAIRMAN: I should think, as this is all on record, as it will be now, it might be left at that.

Mr. HAZEN: Yes.

CHAIRMAN: Then subsection (2) of Clause 1 of Part VI. goes out, subsection (3) is amended as shown in the revised draft charter, and the remaining subsections of Clause 1 of Part VI. are renumbered. Then in Part VIII., Clause 3, the words shown in italics in the revised draft charter are inserted and the other words go out; in line 6, however, the word "Dominions" should be "Empire"—"such parts of Our Empire."

Mr. HAZEN: Why is the word "Empire" used there? Why do you prefer that there if you think it should not be the word before?

CHAIRMAN: We never use the word "Empire" here. We talk about "Our Dominions" to cover everything.

General WARE: "Dominions" does not cover Protectorates; that is the technical difficulty.

Sir ROBERT BORDEN: Then why not use the same word in that clause as in subsection (1) of clause 1 of Part VI.?

Mr. CHAMBERLAIN: I think "any part of Our Dominions" is quite sufficient. The self-governing Dominions are, of course, the Dominions represented by the gentlemen who are here; but the King's dominions are all the territory over which he holds sway, surely.

Mr. HAZEN: If it is not right here, it is not right in the other place which we have just been discussing. I always understood that "Dominions" had reference to the Dominions overseas as distinguished from Great Britain and Ireland.

Mr. ROGERS: Why not say "parts of Our Dominions and any of Our Protectorates"?

Mr. CHAMBERLAIN: I suspect the alteration may have been made in order to cover the case of India, which is not habitually described as a "Dominion."

General WARE: Partly.



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Mr. CHAMBERLAIN : But it is part of His Majesty's dominions, and if that be true of India it is equally true surely of the other non-self-governing parts of the Empire which, although they may not be Dominions by themselves, are part of His Majesty's dominions, and His Majesty may properly speak of them as "Our Dominions."

Sir ROBERT BORDEN : Why not say, as before, "such parts of Our Dominions or Protectorates as are represented on the Commission"?

General WARE : Then comes the question as to whether the Protectorates are represented.

Sir ROBERT BORDEN : It does not follow that they are; the phrase is "as are represented on the Commission or have made grants."

Mr. HAZEN : But the Protectorates are not represented on the Commission.

Sir ROBERT BORDEN : I understand that, perfectly.

Mr. HAZEN : Why not say "such parts as are not represented"?

Sir ROBERT BORDEN : It is in the disjunctive—"such parts of Our Dominions or Protectorates as are represented on the Commission or have made grants."

Sir JOSEPH WARD : Is not the point that they want to have the Protectorates provided for though they are not represented at all?

Sir ROBERT BORDEN : This does provide for it.

Sir JOSEPH WARD : If you say "such Protectorates as are represented," you may exclude others that are not.

Sir ROBERT BORDEN : "Or have made grants." It is disjunctive. If they come within any of the conditions they are entitled to a copy of the report.

CHAIRMAN : I would respectfully suggest that we need not discuss this because the only real question concerned is the transmission of copies. The Secretary of State represents the Crown Colonies, and he has only to ask for as many copies as he requires and he will get them and can send them wherever he thinks necessary.

Sir JOSEPH WARD : The point is not material.

Mr. CHAMBERLAIN : I think the wording ought to follow the same language, if I may say so, as in subsection 1 of Clause 1 of Part VI. which we were discussing just now.

CHAIRMAN : Yes, the Dominions and Protectorates.

Sir ROBERT BORDEN : "Or Protectorates" you must say.

General WARE : May I take it that it is an instruction that the draftsman make an alteration so that these two clauses agree?

Mr. HAZEN : I would like to move this Resolution:

"That words be added to the Charter to this effect: That the Imperial War Graves Commission be requested as soon as possible after their appointment and organisation to prepare an estimate of the probable cost of carrying on the work entrusted to them and to submit the same to the Governments of the United Kingdom and Oversea Dominions with their recommendation as to the proportion that should be borne by each."

CHAIRMAN : Mr. Hazen moves that Resolution.

Sir JOSEPH WARD : Do you desire that it should be included in the Charter Mr. Hazen?

Mr. HAZEN : That was my suggestion.

Sir JOSEPH WARD : If so, it ought not to be a request.

Mr. HAZEN : It should be "directed" instead of "requested."

Sir ROBERT BORDEN : Would it not be better not to put the words in the Charter but simply to pass a Resolution which would be observed by those responsible for the carrying out of the Trust? They seem to me rather inappropriate for the Charter. I think it is a most necessary provision and I am entirely in accord with it, but the question is whether it is appropriate to be inserted in the Charter or whether it should be recorded as a Resolution of this Conference. Personally it seems to me that the latter course would be the better.



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Mr. HAZEN : Well, it could be done in that way. Leave out the words "That words be added to the Charter" and put "Resolved that the Imperial War Graves Commission be requested as soon as possible."

CHAIRMAN : It ought to be a Resolution of the Conference.

Mr. HAZEN : Yes.

CHAIRMAN : Then you want to strike out the words "That words be added to the Charter to this effect."

Mr. HAZEN : Yes; as follows:—

"That the Imperial War Graves Commission be requested, as soon as possible after their appointment and organisation, to prepare an estimate of the probable cost of carrying on the work entrusted to them, and to submit the same to the Governments of the United Kingdom and Oversea Dominions with their recommendation as to the proportion that should be borne by each."

Mr. HAZEN : Yes.

(Agreed.)

General WARE : In Part III., Clause 3, Lord Derby suggests that we should not be bound by the number "six." If it is necessary to fix a number, we suggest that that number should be eight. I take it that was also the opinion expressed at the last meeting of the Conference.

Sir JOSEPH WARD : Does that mean that if the Director of the National Gallery and the Director of the Royal Botanical Gardens, Kew, are included it would be eight still?

General WARE : Yes.

Sir JOSEPH WARD : You want to limit it to that?

General WARE : No, we do not want to limit it; we want it to be as the Conference suggests.

CHAIRMAN : Why fix any number at all?

Sir ROBERT BORDEN : Will the General be good enough to tell us the precise constitution of the Commission as it stands at present? There are four from the United Kingdom, and they are designated here as persons holding official positions. Then there are five persons from the Oversea Dominions who are to be appointed by their Governments—that is nine. Then you propose by Clause 3 of Part III. to appoint six others. You have mentioned two who will probably be selected, the Director of the National Gallery and the Director of Kew Gardens.

General WARE : Yes. Then it was suggested by the Prince of Wales's Minute that among the unofficial members there should be "the present Director of Graves Registration and Inquiries, and the two Officers Commanding the Graves Registration Units in France and in the East respectively." That makes three more.

Sir ROBERT BORDEN : That makes five in all.

General WARE : And, as the wording stands now, only one appointment is left. We want a little more freedom. There is a question whether there should be a Naval representative. We are also very anxious that General Macready personally should be nominated to this Commission.

Sir ROBERT BORDEN : To what extent do you desire to increase the number?

General WARE : Eight would cover it.

Mr. HAZEN : Do not get your Commission too large and unwieldy.

Sir ROBERT BORDEN : I suppose the management will be carried on by a few persons in the final result.

Mr. HAZEN : That is always the way.

Sir JOSEPH WARD : Is it contemplated, for instance, that a position may arise that a number of Italians are buried in the cemeteries which are covered by this Charter, and that Italy may desire to have a representative?



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General WARE: Those questions we should meet by Advisory Committees or Agencies. These are provided for in Part IV.

Sir ROBERT BORDEN: You are not giving the Commission an International character in any respect?

General WARE: No, except by arrangements with the Foreign Governments under Part IV.

Sir ROBERT BORDEN: Personally I have no objection to increasing the number to eight.

Mr. CHAMBERLAIN: Sir Robert Borden has mentioned four representatives of the Home Government. I would like to say that the Secretary of State for India will sit on this Commission, not as a representative of the Home Government, but as the representative of special Indian interests.

Sir ROBERT BORDEN: Yes.

CHAIRMAN: And the Secretary of State for the Colonies will sit as special representative of the Crown Colonies, because the Dominions are all represented themselves.

Sir ROBERT BORDEN: I was not criticising.

Mr. CHAMBERLAIN: I only made my observation in order to make my position clear with regard to India.

CHAIRMAN: I take it that the suggestion to increase the number to eight is agreed. (*Agreed.*) May I take it that the Conference accepts Lord Derby's definite suggestion as to the Director of the National Gallery and the Director of Kew Gardens?

Sir JOSEPH WARD: I think the idea is an excellent one.

Sir GEORGE PERLEY: Do you mean to mention them in the Charter by title?

CHAIRMAN: No. Lord Derby was very anxious to have your views whether you approved of the selection of those two particular officials.

Mr. ROGERS: Do they form part of the Commission?

CHAIRMAN: Yes.

Sir JOSEPH WARD: From an artistic and architectural point of view I think it is advisable to have them included.

CHAIRMAN: I think it is advisable.

General WARE: I should like to add that I think, if only from the point of view of the work which the Director of Kew Gardens has already done, it is important that he should form one of the Commission. The Assistant Director has been actually working in France and has been of invaluable assistance to us. He knows the whole work from the horticultural point of view and has been in communication with the oversea authorities on the question.

CHAIRMAN: May I take it that the Conference approve the Draft Charter as amended?\*

(*Agreed.*)

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\* The Draft Charter as further revised is printed on pp. 145-150.



## THIRTEENTH DAY.

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Wednesday, 25th April 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 10.30 A.M.

### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable Sir ALBERT H. STANLEY, M.P., President of the Board of Trade.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness The MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

The Right Honourable Sir R. CHALMERS, G.C.B., Permanent Secretary to the Treasury.

The Right Honourable Sir MAURICE DE BUNSEN, G.C.M.G., G.C.V.O., C.B., Acting Assistant Under Secretary of State for Foreign Affairs.

Sir H. LLEWELLYN SMITH, K.C.B., Permanent Secretary, Board of Trade.

Sir E. NOTT-BOWER, K.C.B., Chairman, Board of Inland Revenue.

Mr. GARNHAM ROPER, C.B., Assistant Secretary, Harbour Department, Board of Trade.

Mr. H. FOUNTAIN, C.B., C.M.G., Assistant Secretary, Commercial Department, Board of Trade.

Sir W. H. CLARK, K.C.S.I., C.M.G., Comptroller General of the Commercial Intelligence Department, Board of Trade.

Mr. N. F. WARREN FISHER, C.B., Deputy Chairman, Board of Inland Revenue.

Mr. U. F. WINTOUR, C.B., Director of Contracts, War Office.

Mr. PERCY ASHLEY, Board of Trade.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet.  
and

Private Secretaries.



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DOUBLE INCOME TAX.

[13th Day.]

## Double Income Tax.

CHAIRMAN: An amended Resolution on the subject of Double Income Tax, handed in by Sir Robert Chalmers on behalf of the Chancellor of the Exchequer, was circulated last night to Members of the Conference. The Chancellor of the Exchequer desires me to say that he had hoped to be present himself, but in the special circumstances, I am sure Members of the Conference will appreciate the reasons for his absence, and will feel that Sir Robert Chalmers can very properly take his place. The Resolution runs: "That the present system of Double Income Taxation within the Empire calls for review in relation—

- (i) to firms in the United Kingdom doing business with the Oversea Dominions, India, and the Colonies;
- (ii) to private individuals resident in the United Kingdom who have capital invested elsewhere in the Empire; and
- (iii) to its influence on the investment of capital in the United Kingdom, the Dominions, and India, and to the effect of any change on the position of British capital invested abroad.

The Conference therefore urges that this matter may be taken in hand as soon as financial conditions permit, and that an amendment of the law may be made which will remedy the present unsatisfactory position."

I understand that Mr. Massey is willing to adopt that resolution and to propose it, in which case Sir Robert Chalmers would second it. As we have the advantage of the presence of an ex-Chancellor of the Exchequer in the person of the Secretary of State for India, I do not know whether he will be prepared to say anything to the Conference before we adopt the Resolution.

Mr. CHAMBERLAIN: I do not think it necessary for me to do so, thank you, Mr. Chairman.

CHAIRMAN: Then may that Resolution be adopted?

Mr. ROGERS: No; I think there is something to be said about it.

Mr. MASSEY: Yes, I want to say a word and, in supporting the Motion, I would just like to endorse what has been said by Mr. Long about Mr. Bonar Law's inability to be present. I am sure each and every one of us regrets his absence and sincerely sympathises with him in the intense anxiety which he must be feeling on account of his soldier son. I do not need to say any more, except that I only hope better news will arrive in a very few days, so that the anxiety of the father and other members of the family may be set at rest.

With regard to this Motion, which has been circulated to the Conference by the Department, I would just like to say that it is not so emphatic in the preamble as my own Motion was, but I think in the Motion proper it is in some respects an improvement on mine, and it is certainly more comprehensive, so that I have no objection to it on that score, and it is an admission on the part of the Department, that the present system is not satisfactory and that some amendment is necessary. I am sure the Members of the Conference will agree with me in this, that the necessary amendment should be made as soon as possible, either by legislation or otherwise.

I referred to this subject on its introduction a few days ago, and I do not need to labour it at any very great length, but I would just like to point out where its unfairness has been brought home, especially I think to my colleague from New Zealand and myself. In the case of widows—and unfortunately a number of these ladies have been made widows during the present War—they have come to England to live, partly, perhaps, because they wanted to live near some of their relatives, and sometimes for other reasons, but they are here in England (I am speaking now of those with whom I am acquainted and those with whom I have had correspondence on this subject) and they will probably live here for the remainder of their days, but their properties are in New Zealand, and their incomes are derived from New Zealand. In the meantime they are taxed for Income Tax purposes in New Zealand, and our Income Tax is very heavy, though not quite so heavy as the British Income Tax, but it is next to that so far as the Empire is concerned. They are taxed, as



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I say, in New Zealand on their income, and, because they live here, they are also taxed here, and this double taxation makes, under existing circumstances, a very serious inroad upon their incomes. That is one of the grievances.

Another grievance is with regard to the position of business men. There are numbers of British firms who do business with New Zealand, and these firms pay Income Tax in their own country, that is, in Britain, and they again have to pay an Income Tax which we expect them to pay on the profits of their business in New Zealand. I think the same reasons apply to Australia and Canada, though not exactly to the same extent; I am not quite sure about South Africa. I know the Canadian people in their taxation upon incomes do not go so far as we do; they will probably require a heavier tax to assist them in carrying the burdens arising out of the present War. There is the position in regard to business men who naturally endeavour to make increased profits, or to provide for increased profits, on account of the double tax, and on account of the inequitable system of taxation, as we think it, to which they are subjected.

Then my attention has been called to this state of things which is going on. I happen to know most of the British firms doing business with New Zealand in the meat trade. It has been my business to deal officially with those people over the period of the War. I know of one very large British firm which has extensive connections in the meat-producing countries, I think I may say particularly in New Zealand. That firm has certainly a very large sum of money invested in New Zealand, and it has been extending its business just recently in the Dominion very considerably. We ask them to pay income tax on the profits they make, and no objection can be taken to that, because the principle stands that it is fair to tax income in the country where it is made; but these people have their headquarters in Great Britain at the present time. First of all they pay income tax to our Finance Minister. Our Finance Minister is here, and he will endorse, I am sure, the opinion I am expressing when I tell the Members of this Conference that it is a very heavy tax—we both pay it, and we know—and it is a graduated tax, so that the higher the income the more a man pays. I am not speaking of the Excess Profits Tax now particularly, because I will deal with that in a moment, but I am speaking of the ordinary Income Tax, which is on a very high scale for war purposes. This firm is taxed here again. Then there is the Excess Profits Tax. Many people desire to make more money during the war period on account of increased taxation. I am not speaking of the ordinary meat salesman at Smithfield, because he has not been making more but has really not been making as much. The men in the meat trade itself are those who have undoubtedly been making larger incomes. We come along and tax them to the extent of forty-five per cent. on their excess profits. According to the new arrangement which has been made in Britain, they will be taxed to the extent of fifty-five per cent.; I think I am right in saying so; so that the two taxes will not amount to more than the profit actually made by way of excess. Very well; taking these people as an illustration—I do not know that I ought to mention the name of the firm, although I do not think they would object to it if I did mention it—they have to meet the competition of the great American Meat Trusts, possessing immense capital and who are to-day in a wonderfully strong position. Up to the present the American Meat Trusts do not pay Income Tax in our country; possibly we shall ask them and compel them to do so presently; but they do not pay tax on income in England as British firms pay, and yet their meat is being sold in England, and they are doing an immense business with the British Government at the present time. I do not know what the position is in the Argentine, but I know perfectly well there is no war taxation in the Argentine, from which country they buy a very large proportion of their meat, and therefore they are placed at a tremendous advantage as compared with the firm of which I am speaking, or other firms similarly placed. Now the effect of that is going to be—and I think in some cases the effect has been—that these firms, British firms as they are, and as I believe they would like to remain, cannot stand up against this sort of thing and are thinking of shifting. I know a member of the firm is at present in the United States, perhaps making arrangements, or at any rate making enquiries, with a view to shifting the headquarters of this firm to that country and so escaping the



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enormous burden of taxation they are called upon to carry. I am quite sure there is no one in Britain who desires to bring that state of things about. In New Zealand we want to encourage business as much as we possibly can, and we mean to do it, not only as citizens of the Empire, but as men connected with the government of the country and as men connected to a certain extent with Imperial matters. We want to encourage business within the Empire as much as we can, and I do not think there is anything wrong in my saying so.

Then there is another point of view, and I have mentioned this point previously, and to my mind it is the strongest point of all, and appeals particularly, I think, to every Dominion of the Empire, because we are all in the development stage; we are developing as rapidly as we can, and we are taking upon ourselves burdens in the shape of interest upon borrowed capital as fast as we consider it safe to do so. We are encouraging the introduction of capital, each and every one of us, into our Dominions, because we know it will be well and properly expended, and will assist in the development of the country, and tend towards the prosperity of the people living there already, or those who may come there in the future. Now, if people who are fortunate enough to be possessed of capital which in the past has been invested in the Dominions, or may, in the future, be invested in the Dominions, unless their investments are handicapped very seriously, if they know that they will be called upon to continue to pay this very heavy taxation not only here, where the headquarters may be, but also in the Dominions, where their capital is invested, they are not going to the Dominions with their capital; or, if they do, it will be in cases where they are able to insist on a very high rate of interest, so that they may be in a position to pay the taxes in both countries. In any case, the Dominions are going to suffer; all investment in the Dominions will be discouraged by the present system for that reason; and, for another reason which I will mention, I think the system should be amended as soon as it is possible to do so. Sir Joseph Ward mentioned the other day that in New Zealand we have provided against this sort of thing as far as we possibly can, that is to say, in New Zealand, where a resident arrives from some other country within the British Dominions, and where he is taxed in that country upon his income, we make a rebate in our income tax to the extent to which he has to pay income tax in that other country. The provision in our Income Tax Act is: "Income derived by a person resident in New Zealand, but not derived from New Zealand, shall be exempt from Income Tax if and so far as the Commissioner is satisfied that it is derived from some other country within the British Dominions," and that it is chargeable with Income Tax in that country." That is satisfactory so far as it goes, but unfortunately it does not go very far, because it does not affect matters at this end. There is our position, and I know the position of the Chancellor of the Exchequer of this country perfectly well; I know the difficulty he will have in meeting the very heavy expenditure that is going on, and that the present position will last for some time after the War. I do not think we ought to shut our eyes to that fact. The taxation that is being collected will be a gradually decreasing quantity, I hope and believe, and I think we are well able to pay it; but I think we should always go on the principle that each citizen of the Empire or of the State, as the case may be, should contribute to the taxation necessary in proportion to his ability to pay. Nobody objects to that, but I do say that this Double Income Tax has had the effect of calling upon many people—many worthy citizens of the Empire and of the Dominions—to pay far more than in fairness they should be asked to contribute.

That is all I have to say, Mr. Long, and I do not think we should take up a great deal of time in arriving at a conclusion with regard to this, to us, very important matter.

Mr. ROGERS: I would like to say a word or two on this point. First of all, let me associate myself with what Mr. Massey has said with respect to the feelings of sympathy for the cause which prevents Mr. Bonar Law being present here to give us the benefit of his judgment on this important matter.

Now, Mr. Long, we of course appreciate that this amended Resolution presents the matter in a somewhat different light to that in which it was presented to us by

\* See New Zealand Act, No. 5 of 1916, section 92.



Mr. ROGERS—*cont.*

the representative of the Treasury the other day; at all events it goes the length of admitting that our position, in so far as income tax is concerned, is unsatisfactory. But beyond that I do not know that it holds out very much hope for a readjustment of the conditions, which are so unsatisfactory, of the Oversea Dominions, because all that is promised is that, as soon as financial conditions will permit, some further amendment may be taken. Now this may be many years in the future, and it is a very indefinite proposal, while in the meantime we are expected in the Oversea Dominions to go on and suffer from what we regard as a very serious grievance in the matter of this Double Income Tax. Take our position in Canada. We have several large companies there that pay heavily in income tax where they have no capital invested at all. Let me take as an example the Hudson's Bay Company. They have no British capital invested, but they take large sums of money every year out of the natural resources of the Dominion of Canada on which an income tax is exacted by the Treasury of Great Britain, which we regard as a tax which should properly belong to the Dominion of Canada. The same applies, in a rather different form perhaps, in connection with the Grand Trunk Railway, a system which we have largely to assist from time to time, and have done so during the last forty years, while, as I understand it, an income tax is collected from that system as well. The same applies to the Bank of British North America and various other things.

Now I understand that last year and the year before—perhaps Sir Robert Chalmers will correct me if I am wrong—there was some legislation in respect of Double Income Tax.

Sir ROBERT CHALMERS: It was last year.

Mr. ROGERS: Will you say just what the nature of that was?

Mr. MASSEY: There was a small concession made; I forgot to mention that.

Sir ROBERT CHALMERS: There was a deduction of 1s. 6d. in the pound under certain circumstances to come off the incomes which were suffering double taxation.

CHAIRMAN: It is set out in a footnote to the Memorandum by the Board of Inland Revenue which has been circulated.\*

Mr. ROGERS: I understood you, Sir Robert, the other day to tell us that the Income Tax represented something like forty million pounds to your Treasury.

Sir ROBERT CHALMERS: I do not think I mentioned any figure.

Mr. ROGERS: Somebody mentioned it here.

Sir ROBERT CHALMERS: I heard figures being mentioned privately afterwards, but I certainly made no mention of a figure myself.

Mr. ROGERS: Could you give us any idea of the amount of the Income Tax?

Sir ROBERT CHALMERS: I do not think I could.

Mr. ROGERS: I mean the Income Tax collected from the Oversea Dominions.

Mr. MASSEY: That would be a very important point.

Sir ROBERT CHALMERS: I could not in the sense in which I take you to refer to the matter, that is, where Double Income Tax is concerned. I do not think I could give the information; I have consulted the Inland Revenue, and they could not give a figure which would be any help to the Conference. It would be a large sum.

Mr. ROGERS: You admitted by your Act of Parliament that an injustice was being done, and you undertook to correct it in a way we might accept to some extent, and now you come forward with your resolution and admit that the position is still unsatisfactory. Would it not be fair on your part, until this matter can be adjusted in some form as soon as financial conditions will permit, to allow, for the remainder of the period until that time is reached, the amount of Double Income Tax that is collected on such incomes as those to go to the Oversea Dominions until an adjustment can properly take place? Would not that be fair?

Sir ROBERT CHALMERS: I am not in a position to do more than say that the concession of 1916 would be continued, but I cannot say that it would be extended, which is the substance of your suggestion.

\* See Memorandum printed on pp. 156-157.



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Mr. ROGERS: That is the point I think we should press, because, in view of the acknowledged unsatisfactory position and the fact that you have had the benefit of this Double Income Tax for such a period of time, surely it would be only fair that we should get the whole returned until such time as the financial conditions will admit of a settlement of that question.

Sir ROBERT CHALMERS: I am not in a position as representing the Chancellor of the Exchequer here to go further than the extent to which he is prepared to go, which is in the form of the Resolution.

Mr. ROGERS: Then the Resolution, as far as I am concerned, would not be at all satisfactory; it really means nothing.

Sir ROBERT CHALMERS: I am the more sorry to hear that, as it represents in its operative form the words of Mr. Massey, which I have adopted on behalf of the Chancellor of the Exchequer.

Mr. ROGERS: I must admit it goes the length of admitting that the position is unsatisfactory, and that as soon as financial conditions will permit a change will be made, but there is no limit on that condition, and I think it is only fair that we should be entitled to the Double Income Tax from now until such time as a satisfactory arrangement can be reached under the financial conditions. Your Treasury has had the benefit to the detriment of our Treasury for many years, according to our idea, and therefore you could make the time as short as you like by arriving at a conclusion as to when the financial conditions will admit of having that general adjustment. Until such time arrives I think we can fairly claim that we are entitled to the full Income Tax that originates within the borders of the various Dominions, and for that reason I would not be disposed to accept this amendment.

Sir JOSEPH WARD: Mr. Long, I would like in the first place to add a word of deep regret at the cause of the absence of Mr. Bonar Law, and my earnest sympathy for him in his domestic trial.

Double Income Tax is a sore subject with the people in New Zealand, and I have very little doubt it is the same in the other Dominions, and it calls for some effort on the part of the representatives who are here to bring home to the British Government and those authorities who advise them the supreme importance from an Empire standpoint of having an alteration made as soon as possible. When the War is over I do not think it is disputable that as the result of the enormous exportation of meat for war purposes, a large portion of which has been bought by the British Government for the French Government, there will be a direct trade between France and New Zealand, Australia, and Canada in meat and in wool, which is going to pass by the centre of the Empire, London, or any other port in this country; and the Home authorities will lose whatever proportion of that meat or wool—which, by those best qualified to judge, is considered will be enormous in its quantities—which will go past the British Isles directly to any of our Allies whose people have been educated to use these articles during the War. From the point of view of the exporters in New Zealand that will be very valuable, and it ought not to be forgotten that none of these countries exports to Great Britain manufactured articles and only those from the products of the soil. This country is certain to lose for a time, in my opinion, excepting upon superior competitive conditions (that is, by a higher price being paid here) a considerable proportion of the exports which went from our country to this country prior to the War. Those people who are being mulcted in Double Income Tax, if they can legitimately evade it will do so as certain as we are sitting at this Conference. This is a vital matter to the ordinary business man in our country, and to the ordinary professional man in our country who may from time to time visit the old land and stay here for a period which causes him to be called upon to pay Double Income Tax here, and they are going to do all in their power which they legitimately can do to avoid it. I am quite persuaded of that. On the other hand, when this War is over there is going to be an active competition for expansion in trade with the Oversea Dominions by some of our Allies, and probably by those who are at present enemy countries.

Now, what is the position of a man who is trading from one of those foreign countries with a New Zealander by comparison with the man who is trading from



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London to New Zealand or to any other Oversea Dominion? Let me take as a typical case one of the enemy countries, Germany. Supposing it gets trade into our country through a British house, not through a German house, because our countries are standing up against that, and it is yet to be discovered how you are going to prevent them trading with a British house. That firm from Germany does not pay any Double Income Tax and is going to remain in a position advantageous to those British traders from this country, who will be under adverse conditions carrying on their trade with the overseas countries. Apart altogether from the necessities of the policy of the Treasury of this country, is it a fair proposition for people who are working in the direction of consolidating the trade within the Empire and bringing a better condition of things into existence in order to prevent our enemies from getting up alongside of our people after the War, that we should in our respective callings, and in various parts of the Empire, go on promulgating proposals and endeavouring to put them into effect with the object of assisting trade, if, at the very heart of the British Empire itself, a condition is going to exist that is not only a detriment to the traders within the Empire, but is going to drive some of them outside of the Empire for the purposes of carrying on their trade? As a matter of fact, we are very much concerned in New Zealand over the American Meat Trusts' operations there. Those of us who find it necessary to study the situation believe it is only a matter of time unless some methods can be devised—

CHAIRMAN: If you will forgive me interrupting you there, I do not know whether it would be convenient for you to reserve that point until the Board of Trade come; they thought that was going to be raised on the next resolution, when they are coming.

Sir JOSEPH WARD: Very well.

CHAIRMAN: There is also the question you raised the other day about the supertax which you propose in New Zealand under your Act of Parliament.

Sir JOSEPH WARD: Then I will not refer to either now.

CHAIRMAN: They are coming here prepared to deal with both those questions.

Sir JOSEPH WARD: Very well, I will not take up the time of the Conference now on that matter. We have to fight the battle in our own country, and do all we can to try to meet what I believe is going to be a great deflection of trade. I know at the moment, and I think it is known to the authorities here, that there has been a movement of men in this country to avoid this Double Income Tax by changing their whole business out of this country to the United States of America and to other countries. That is a very serious thing, and one of the concerns with a million or two millions of capital—I do not know the exact amount, but they are enormous traders—

Mr. MASSEY: Four millions.

Sir JOSEPH WARD: If the information which I have is correct, and I believe it to be correct, negotiations have been going on for some time, and I was told only a few days ago that the negotiation would be successfully completed for the disposal of their whole concern to a large organisation in the United States of America. What does that mean? and that is only the beginning of what is going to be an active movement. It means that this country is going to lose practically the whole of the income taxation on that firm's operations, excepting such portion of it as they may continue to do in England under the new firm. If, among other things, they send a large portion of their products to France or to Italy or to any of the Continental countries, then this country is going to suffer a further heavy loss through the Income Tax charged on the profits being unavailable here. The whole matter is a very serious one.

The representative of one of the largest institutions in Australia saw me within the last couple of months and told me that he was seriously considering the desir-



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ability of changing his head office from Australia to the United States of America. I know they are very large income tax payers here and in Australia. They are deeply concerned as to the probable necessity for their doing so. It is not entirely owing to the system which has existed in England that they are being impelled to consider the necessity of transferring their business to the United States of America, but it is because of the fact that they suffer from a system of taxation in the State of Australia in which they have their head office and in turn come, at least partly, under the Commonwealth system of taxation too. They are getting it three times over. Where they pay Double Income Tax, as a British trading concern, they get one extra dose here, one in one of the States of Australia, and a third in the Commonwealth of Australia. This man has been trading in this country, and his father before him, possibly for the last fifty or sixty years; he is a Britisher, and his attachment to the Empire is beyond all question, but he pointed out to me that his business is not in existence for the purpose of paying away a larger amount of taxation than anyone can afford to pay, and that his business will not be worth carrying on if he is to continue to pay three income taxes because of the existence of this Double Income Tax which exists within the British Empire, and the fact that he has to pay a portion of taxation in the Commonwealth of Australia. The latter is not the fault of the British authorities here, but the fact remains that if a man has a certain amount of capital invested in his business and he is going to get a less nett return upon it from trading than if he sold his business and got out of it and put his money into something else, he will not go on carrying on his business; but his business is too important for him to willingly give it up, and that man, I know, is seriously contemplating transferring the whole of his head office to a country he does not want to go to. These men are not doing it for the fun of the thing; they are not moving in this direction with a view to bring pressure to bear upon any of the Governments to make a change, but they are doing it out of sheer necessity. "Necessity knows no law," and necessity will impel a number of other people, in my opinion, to do exactly the same sort of thing, in order to get into a position of paying lower taxation upon the amount of income derived from the business they are doing in any portion of the British Empire.

As I say, this matter is a very serious one, and it is not going to stop at the end of the war, and it is causing everlasting friction in all of the Oversea Dominions. One does not want to put his oar into the boat of the British Chancellor of the Exchequer in connection with financial operations, but I am persuaded that this is going to do this country an immense amount of harm, and it is going to do the Oversea Dominions an immense amount of harm, and it will be taken advantage of by our enemies after the War is over; they will be trading under superior conditions, probably coming in, as they did before, with enormous subventions for their steamers, so as to get an advantage over the British trader, and their goods will be carried at lower rates, as was the case in the past, and the tremendous subventions for their steamers will help them to beat if they do not wipe out the British steamers in the way of competition. They did not succeed before, it is true, very far from it, but with the added difficulties we are all going to have from war taxation imposed upon our people arising from the necessities of the War, we are all going to have higher income taxes levied than we had in pre-war times, and when it comes to the question of one man or firm or private individual finding this system of double taxation is going to be continued, it will strain their loyalty to such an extent that the head office of many of these concerns will be removed to some other country to a very great extent indeed.

While I am upon this, I want to say a word with regard to the difficulty, for war taxation purposes, of that Excess Profits Tax to which Mr. Massey referred. In our country we take forty-five per cent.; here you take sixty per cent. In our country I had a clause put into the Statute giving us power to reciprocate with the Chancellor of the Exchequer here so as to have, if possible, a lower basis from the two amounts than the forty-five and the sixty per cent., with a view to having a reasonable proportion of double taxation levied upon those who come under it. There are not a great many people who do come under it, but those who do come under the proposal as it is now find it ruinous to them, and I am bound to say that



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the heads of the Revenue Department here who discussed the matter with Mr. Massey and myself met us quite fairly as to how a change which I submitted to them could be made. I understand that it cannot be done without legislation here, and I also understand that there is to be legislation to meet this system of charging which this unfortunate war has compelled the whole of us in our separate countries to put into operation.

When I came to England some years ago as Colonial Treasurer of New Zealand one of the duties imposed upon me was to ask the British Government to do away with double income tax. I saw the then Chancellor of the Exchequer and made strong representations to him, and, after going into it, he expressed the opinion to me that this country could not sustain the loss which would be imposed by abolishing it. It was not so acute then as it is now. Later on I went to another Chancellor of the Exchequer and I pointed out to him the continuance of the friction from the period when I had originally gone to the Chancellor of the Exchequer to urge upon him the necessity for it being altered, and after going into the matter on that occasion the Chancellor of the Exchequer (the present Prime Minister) gave a similar answer to that given to me by his predecessor. In the interval that has elapsed this war has changed the whole conditions of obtaining money to keep up our end in the Oversea Dominions; it has certainly accentuated the injustice of this Double Income Tax out of all proportion to what that accentuation had reached on either of the earlier occasions when I made representations about it. There is not a business firm from end to end of New Zealand at this moment—there is not a public man from end to end of New Zealand at this moment—who is not steeped up to his eyes in a feeling brought about by representations made to him that this taxation is injurious to our Dominion, and consequently bound to be injurious to each of the other Dominions as well as to the Motherland, and that it is going to militate against the free intercourse of trade and the development that we are all anxious in every way in our power to assist in promoting. I recognise fully, and I have said it before, that at this juncture no one with the responsibility on his shoulders of a Chancellor of the Exchequer would be safe in conceding during the War period what ought to be done as soon after the War as possible, because we recognise, where these thousands of millions of money have to be raised, that it is vital to the Empire as a whole that there should be no interference or anything which would tell against the work of the Chancellor of the Exchequer and the Treasury here in raising the required money to enable the War to be won. I do want, however, to reaffirm my earnest hope and my profound conviction that this matter must be taken in hand immediately after the War has been concluded, and a change of policy effected here to raise an equivalent amount of money, whatever that amount may be, from some other source.

Sir GEORGE PERLEY: I would just like to say that it seems to me there cannot be two opinions on the general question involved in this discussion. I think it is manifestly unfair and unwise that there should be a Double Income Tax within the British Empire. The result of it must be eventually to prevent anyone from making investments in any country except the one he lives in. I take it that under the present arrangement you practically say to an investor from the Dominions, "You must not come here and invest any money in England, you must not buy stocks or shares in England, because, if you do, you will have to pay Double Income Tax." I think as a matter of fact, instead of making our Empire one, nothing could serve better to divide us up and separate us than to have a law which forces us to invest in the country we reside in. We, in the Dominions, of course need the capital, and we therefore suffer from this Double Income Tax more than those who are living in this country. I would like to see this Resolution made in more general terms. We are at the present time the ones who are suffering chiefly from this Double Income Tax, because we want capital for our development, but I cannot see why there should be a law such as to make it difficult or unwise for me to have some investments in this country; because, practically, under this system of income tax, I cannot come here and make any investments in practice because I suffer too much by taxation. It seems to me it is manifestly right that Income Tax should be collected



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in the country where the income is earned, and I would like to see a Resolution in general terms looking forward to our having a Conference. This is a matter for adjustment between the various Governments of the Dominions; it is not solely a matter for the United Kingdom to settle itself, and we ought to have a Conference of the representatives of the Finance Departments, or of the Finance Ministers, of the various Dominions with the Chancellor of the Exchequer as soon as the War is over, in order to come to some mutual understanding as to what is fair play in the interests of the whole Empire with regard to this particular question. So that I would like to see the Resolution read something in this way: "That the present system of Double Income Taxation within the Empire is not only inequitable and unfair but must necessarily retard the growth of the Dominions, which all require large amounts of capital for development purposes," and this position will be accentuated in the near future, "and the Conference therefore urges that this matter may be taken in hand at the earliest date possible," or I would say, "immediately after the War," "and that an amendment of the law may be made which will remedy the present unsatisfactory position." I do not like the words "as soon as financial conditions permit." I take it that would probably mean never, and I do not think the financial conditions ought to be allowed to prevent the remedying of what is not only a manifest injustice but an unwise thing, and I think that in the interests of the Empire we ought not to have double taxation. I quite understand what Mr. Massey had in his mind in his Resolution, but to my mind this injustice ought to be remedied. It is not only unjust, at the present time particularly, to the people from the Oversea Dominions who reside in this country and to Oversea companies having their headquarters in this country, but from an Empire point of view it is something which ought to be remedied. That is my feeling about it.

Mr. HAZEN: Mr. Chairman, I would like to say that I am inclined to agree, in a very large measure, with what has been said by Mr. Rogers and by Sir George Perley with respect to this Resolution which has been prepared and handed in by Sir Robert Chalmers. I do not like the Resolution at all, and I do not think it will accomplish any good purpose in the way in which it is put. Everybody agrees, I think—at least, everybody who has expressed himself at this Conference—that a system of Double Income Tax within the Empire is improper and is unwise, and calls for review, and should be reviewed and should be changed. Now, if that is the case, why should not proper steps be taken to change it, and why should we limit the Resolution by putting in words urging that the matter may be taken in hand "as soon as financial conditions permit"? If a system is unwise, if a system is unjust, if a system is unfair to people both in the British Isles and to the people in the Oversea Dominions, we are practically saying there that we will go on and wring a tax from people when it is unjust and improper, because the Chancellor of the Exchequer may possibly need the money. If it is unjust and improper, then the money ought to be found from some other sources, and, if we leave those words in there—"as soon as financial conditions permit,"—I am disposed to think that it will be years and years before the step is taken, because, after the War is over, the financial pressure and the need for taxes, and the need for sources of revenue will be quite as great as it is at the present time. I therefore think that those words ought to be eliminated from that Resolution if it is to have any effect whatever; and I think we are not taking very proper ground when we agree that the tax is wrong and unjust and improper, and retards the progress of the Empire, but yet say we shall not lay hands upon it until financial conditions permit us to do so. I think, Mr. Chairman, those words at least "as soon as financial conditions permit" should be stricken out of this Resolution. This Resolution comes to us prepared in the Office of the Chancellor of the Exchequer.

Sir ROBERT CHALMERS: May I interrupt for a moment to say that the words you are speaking of are those of Mr. Massey, which were adopted by the Chancellor of the Exchequer.

Mr. MASSEY: I want all I can get; please do not make any mistake about that.



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Mr. HAZEN : I want those words to come out, Mr. Massey. I can understand the Chancellor of the Exchequer putting them in, but I do not think this Conference ought to put them in for a single moment. I think it is very unwise. Further than that, this Resolution is simply prepared from one standpoint, that is, from the standpoint of the investor in the British Islands. What does it say?—"calls for review in relation (i) to firms in the United Kingdom doing business with the Oversea Dominions, India, and the Colonies;" and "(ii) to private individuals resident in the United Kingdom who have capital invested elsewhere in the Empire." It seems to me, the system of double taxation calls for review in relation to other things. It surely calls for review in relation to companies in the Dominions who are doing business with the United Kingdom and with other Dominions, and it surely calls for review also in relation to private individuals resident in the Dominions who have capital invested elsewhere in the Empire. This draft Resolution is prepared simply from the point of view of the man residing or the firm doing business in the British Isles. I think that is most objectionable, because I think the injustice, if it exists, exists both ways. There are many people residing in the Dominions and doing business in Great Britain, or individuals who reside in the Dominions and have capital invested in the United Kingdom.

Mr. MASSEY : We have such cases in our own hands.

Mr. HAZEN : Yes, and to whom quite as much injustice is being done as to people in the United Kingdom who have their capital invested in New Zealand, Australia, Canada, or elsewhere in the Oversea Dominions.

Mr. MASSEY : You can remedy that, as we have remedied it in New Zealand.

Mr. HAZEN : Of course we can remedy it, and the British Government can remedy it, but we as a Conference here representing different parts of the Oversea Dominions are asking that there shall be a remedy applied all round, as I understand it, on a fair and equitable basis. Therefore I think it is not wise for us to put a Resolution on record that would give the impression that it is only to be remedied from one standpoint, and that standpoint applying to the individuals resident in the United Kingdom, and the firms in the United Kingdom doing business in the Empire outside the United Kingdom. It seems to me that that view must be considered before we pass this Resolution.

Coming back to the other point, reference has been made to the drafting of the Resolution, and I may say that those words, "as soon as financial conditions permit," ought under no circumstances to be allowed to continue in the Resolution. If, as I said before, it is unjust and improper, and contrary to the interests of this Empire, that Double Income Tax should be imposed, then the sooner we get rid of it the better, and if money is required for the purpose of carrying the British Empire through the War, or for other purposes, that money should be obtained from other sources. There is no justification for the retention of the tax, if it is admitted to be an improper tax, by saying that the money is needed, because the money could be found from other sources which would not be objectionable or unfair, and would not work against the general interests of the Empire.

General SMUTS : Mr. Long, on the whole I prefer the Resolution which has been put forward on behalf of the Chancellor of the Exchequer. I prefer it in the first place because the mere proposal is a very distinct concession already. So far, we from the Dominions have been putting forward the strongest claims for reform, and at previous Conferences we have always been met with a more or less *non possumus* attitude by the Chancellor of the Exchequer. Now a distinct advance is marked. The Chancellor of the Exchequer now comes forward with a proposal which in substance is all that we can desire, and embodies the operative part of the proposal which was put forward on behalf of New Zealand. I therefore think that this is an advantage which we should not throw away, and I should like to pin down the Chancellor of the Exchequer to his own concession that he has made now, and, therefore, I should like to pass the Resolution he has brought forward on this occasion.

Mr. HAZEN : How long do you suggest it will be before the Chancellor of the Exchequer will admit that the financial circumstances will permit of it?



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General SMUTS: That raises the point which was discussed at a previous meeting. It was explained to us by Sir Robert Chalmers, and also by Mr. Chamberlain, who is very conversant with this question, that this question of the Double Income Tax goes to the root of the whole taxation system of this country. The Income Tax is the basis of the whole fiscal system of this country to-day. You cannot dissociate the element of Double Income Tax from the Income Tax itself. That we must assume, and I can quite understand that it is so, and therefore, if this question of the Double Income Tax on which we feel so strongly is to be dealt with, the whole subject calls for careful inquiry. How you are going to conduct an inquiry like that during the present crisis passes my comprehension. I think we must in fairness admit that whilst this War is going on, while every nerve is being strained to achieve victory, and a victory which will be a foundation for all future performance, it would be most unreasonable on our part to press for such an inquiry being instituted. The words "as soon as financial conditions permit" seem to cause Sir George Perley to boggle.

Sir GEORGE PERLEY: That means postponing it permanently, I should say.

General SMUTS: It satisfies Mr. Massey.

CHAIRMAN: General Smuts has reminded me of the previous debate, which unfortunately there has not yet been time to get from the printer, in which the Treasury preferred different machinery.

General SMUTS: Instead of "financial" we could put in the word "war" and let it read "as soon as war conditions permit," because that is the only bar when the War is over.

Sir ROBERT CHALMERS: Strike out the word "financial" and leave it "as soon as conditions permit."

Mr. MASSEY: I am afraid that does not improve it.

General SMUTS: "War conditions," Sir Robert, would mean that the Dominions do not call for this reform while this War is going on.

Sir ROBERT CHALMERS: I will agree with "war conditions."

General SMUTS: That would remove the objection of Sir George Perley.

Sir GEORGE PERLEY: I certainly would not ask them to go into it now during the War; I am not asking that.

General SMUTS: Then I think for "financial" we might substitute "war conditions"—"as soon as war conditions permit."

Sir ROBERT BORDEN: Why not say "immediately on the conclusion of the War"?

Mr. HAZEN: Then you will get something definite.

Sir ROBERT BORDEN: Have you any objection to that?

Mr. CHAMBERLAIN: If I may interrupt, I think there can be no objection to that if that better meets the views of the Conference. I would just like to say that I think some of the Dominion speakers, in criticising the wording of the Resolution, have undervalued the force of the arguments which they have addressed to the Conference in bringing the subject forward. After all, the arguments used by the Dominions representatives show what we are clearly conscious of, that in his own interests the British Chancellor of the Exchequer must review this matter now. He has no interest in delay, because it is perfectly true that with the very high rates of tax which are now in force in this country there is a great and growing tendency to remove the offices of companies to other places, and the Chancellor of the Exchequer will then lose not merely the revenue which he now collects on income earned abroad but he loses the whole revenue. It is therefore to the interest of the British Chancellor of the Exchequer to get this matter reviewed and to arrive at a decision upon it as early as possible. If I may add one word to illustrate it—and I am a little shy about doing this, because I do not sit here as an ex-Chancellor of the Exchequer, or indeed as a British Minister, and I do not want to use my position as one of the representatives of India to argue against the Dominions on a matter on which, as far as it goes, the interest of India is exactly the same as the interest of



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the Dominions. I would like to put one case to the Conference just to show the difficulties which we have to meet. The main claim that has been made by the Dominions is that the Income Tax should be collected in the country where the income is earned. Now, consider the position of a British Finance Minister called upon to defend this situation: an Englishman of great realised wealth, liable according to our present law to pay a very high rate of taxation—both Income Tax and super-tax—sells out all his investments in the United Kingdom or in foreign countries and invests it entirely in the securities of that Dominion which has the lowest rate of tax. Well, he is evading his just dues to the British Government.

**Mr. MASSEY**: Not necessarily.

**Mr. CHAMBERLAIN**: You are making it easy for the millionaire here to pay tax at a lower rate than you exact from a much poorer person. There really are countless difficulties of that kind which do call for careful examination, but we all in this country, as well as in the Dominions, desire that the subject should be taken up and thoroughly explored at the earliest possible moment. If it could be explored, as Sir George Perley has suggested, not as being a question of British Income Tax only, but as a question of Income Tax throughout the Empire and in conference with the Finance Ministers of the other parts of the Empire, I think any British Government would be glad to adopt that method.

**Sir ROBERT BORDEN**: Mr. Chairman, I do not pretend to understand this subject in its particularity or in its details, and therefore I am looking at it only in the broadest aspect. It is probable that I do not sufficiently understand it to realise all the difficulties which may confront a Chancellor of the Exchequer here in dealing with the subject. Mr. Chamberlain has made some of them pretty clear. The subject impresses me in its broad aspect in this way. It is desirable for us to keep the natural resources of the Empire under our own control so far as possible. For that very reason it is important that there should be no handicap upon the investment of British capital in developing the resources of other parts of the Empire as compared with the opportunities afforded to foreign capital for that purpose. Under present conditions there is, if I understand the situation correctly, an unintentional discrimination in favour of foreign capital, which, coming to one of the Dominions for investment, will not be faced with double taxation, or may not be, while British capital invested for the same purpose is confronted with that handicap.

**Mr. MASSEY**: That is under the present position.

**Sir ROBERT BORDEN**: Under the present position. From that broad standpoint alone I do think the situation demands review. I am not in a position to understand why the first and second paragraphs of the Resolution which relate to the position of particular firms should be included; and those who are more familiar with the subject than I am will instruct me if I am wrong when I suggest that everything is included in (iii) of the draft Resolution. If there is any particular purpose to be fulfilled by (i) and (ii) which is not fulfilled by (iii) I would not press the suggestion. In drafting it is better not to go into particulars or to mention particular subjects when there is a sufficiently comprehensive general statement. It seems to me that (iii) is sufficiently comprehensive in itself. If I am right in that view then I suggest that the Resolution would be improved by leaving out (i) and (ii).

**Sir JOSEPH WARD**: I do not think that would do.**Sir ROBERT BORDEN**: Why not?**CHAIRMAN**: These are the words of the original amendment.

**Sir JOSEPH WARD**: The conditions are very well known in our respective countries that you want to individualise.

**Sir ROBERT BORDEN**: If you begin to enumerate, you should be very certain that you enumerate everything necessary.

**Mr. HAZEN**: If you are going to individualise do not you want to individualise more than you have done?



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Sir ROBERT BORDEN: The danger is that the moment you begin to particularise, you exclude all that is not specially mentioned.

Sir JOSEPH WARD: The last one deals with capital only, whereas as a matter of fact there are firms in the United Kingdom having a house in your country and a house here, and you could not include them under the provisions of (iii), because they are not applicable. Then there are private individuals resident in the United Kingdom who have capital invested elsewhere.

Sir ROBERT BORDEN: I do not press it, but I am still not convinced as to the drafting. I am willing to leave it as it is, if that is the opinion of the Conference, but I would suggest that the words "immediately after the conclusion of the War" should be substituted in the concluding paragraph for the words "as soon as financial conditions permit"; and I would also suggest that the word "may" in the last line but one should be eliminated and the word "should" substituted for it.

Mr. MASSEY: The word should be "shall," or otherwise it is not grammar.

CHAIRMAN: You could not have "shall," which is mandatory.

Mr. MASSEY: No, I do not say it should be that.

Sir ROBERT BORDEN: It would read therefore in this way: "The Conference therefore urges that this matter may be taken in hand immediately after the conclusion of the War, and that an amendment of the law should be made which would remedy the present unsatisfactory position." I do not think that materially alters the meaning, but it makes it read more sensibly.

CHAIRMAN: I think that is all right.

Sir JOSEPH WARD: Yes, "should" is the right word.

CHAIRMAN: Then it would read as follows: "That the present system of Double Income Taxation within the Empire calls for review in relation (i) to firms in the United Kingdom doing business with the Oversea Dominions, India, and the Colonies; (ii) to private individuals resident in the United Kingdom who have capital invested elsewhere in the Empire, or who depend upon remittances from elsewhere in the Empire."

Sir ROBERT CHALMERS: Those last words represent a suggested amendment by Sir James Meston, which he handed to me, and I willingly accept it.

Mr. MASSEY: I do not see any objection to that.

CHAIRMAN: "and (iii) to its influence on the investment of capital in the United Kingdom, the Dominions, and India, and to the effect of any change on the position of British capital invested abroad. The Conference therefore urges that this matter may be taken in hand immediately after the conclusion of the War, and that an amendment of the law should be made which will remedy the present unsatisfactory position."

Mr. HAZEN: I would like to call the attention of the Conference to the fact that the declaration is that the system of Double Income Taxation within the Empire, not within the British Isles, but within the Empire, calls for review, and then the rest relates simply to those matters within the British Isles, firms in the British Isles, and private individuals resident in the United Kingdom, and (iii) is "its influence on the investment of capital in the United Kingdom." That single clause is limited by the language of the first and second clauses, because you have to particularise. It seems to me that the system of Double Income Tax within the Empire calls for a review as well in the Oversea Dominions as here in the British Isles.

Mr. MASSEY: But we can do that now.

Mr. HAZEN: So can they do it now, if they want to.

Mr. MASSEY: No, the legislature of the United Kingdom cannot interfere with our system of Income Tax in Canada, New Zealand, or anywhere else - it is quite impossible. They have to do it at this end, and we at the other.



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Mr. HAZEN : But they have full power to fix their Income Tax here so that it will not bear unjustly on residents in the British Isles or on firms here doing business outside. They have the same power that we have.

Mr. MASSEY : Yes, if you exercise your powers, then you get over the difficulty to which you refer.

Mr. HAZEN : As this Resolution appears, the only trouble dealt with is with regard to people who are in the British Isles doing business outside, or residents in the British Isles who have investments outside.

Mr. MASSEY : But in the case of residents in Canada you must deal with them yourselves ; and when I say " yourselves " I mean the Dominion Parliament.

Mr. HAZEN : Certainly, but this Resolution refers to double taxation within the Empire, and it refers to the whole Empire, not simply to the taxation in the British Isles.

CHAIRMAN : May I point out, Mr. Hazen—I do not want to interrupt the discussion, but we have a great deal of other business—that (i) and (ii) and half of (iii) are to be found in Mr. Massey's original Resolution. Practically we have admitted it as a Second Reading, and it is only the little bit at the end that is put in by the Treasury.

Mr. HAZEN : I have very great respect for Mr. Massey's acumen and experience, but even Homer sometimes nods, and even Mr. Massey may sometimes make a mistake.

Mr. MASSEY : Let me say a word here. I have refrained from saying anything because I did not want to prolong the discussion, but I thought, when I was drafting the first Resolution, about inserting the word " war " instead of " financial," and then it would have read exactly according to the suggestion that has been made just now. But it occurred to me, though we are all hoping very much that the War will come to an end this year, or next year at the very latest, yet we do not know. We can recollect a Seven Years War and quite a number of other wars which lasted very much longer than that, and this War may go on for three or four years, though we all hope it will not, and I trust it will not. It is a very serious matter already, and it would be twenty thousand times more serious if it went on for years to come. But if it goes on for years and this position continues, of British firms leaving Britain and going to neutral and other countries in order to avoid this system of Double Income Tax, then it is going to become a very serious matter. I do not want to say that the present system is going to last until the end of the War, because I think it ought to be taken in hand at the earliest possible moment, and when it becomes necessary for the Chancellor of the Exchequer and his Department to review the position and ask for more money, as they undoubtedly will, there is no question about it, because the House is sitting now and they will require further legislation : then, with all due deference to the opinion expressed the other day, I think that is the time to make the alteration necessary without waiting for a possible end of the War. I hope the Conference sees my point. If we say, " war " here, though I have no strong objection to it, it means that the present system must last to the end of the War, and I do not want it to be so, if I can avoid it.

Sir ROBERT BORDEN : They have told us distinctly that they cannot take it up until the end of the War.

Mr. MASSEY : With all due deference to the Department, I am not prepared to accept that, and I say that after having a long discussion on the subject with the Chancellor of the Exchequer himself.

Sir ROBERT BORDEN : I should prefer to take them at their word and get a definite date fixed, that is, the conclusion of the War.

Mr. MASSEY : That may be the better course. With regard to the other points, I would just like to say that this is not an Act of Parliament coming up for the interpretation of a judge. All that is intended by the original Resolution as drafted by myself, or as amended by the Chancellor of the Exchequer, is to call attention to the present unsatisfactory and, as I think, unfair double system of



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taxation which is in operation. Attention has been called to it, and we, having affirmed the principle and expressed our opinion, that is, I think, quite sufficient for the time being, and is as far as we can go.

Now that I have been drawn into the discussion again just let me say a word with regard to the point raised by Mr. Chamberlain. Mr. Chamberlain suggested that it might be possible, if this happened to be agreed to and took legislative shape, wealthy people, or companies, or syndicates doing business at present in Britain might transfer their headquarters to one of the Dominions and that Dominion——

**Mr. CHAMBERLAIN** : I beg pardon, not people doing business but a man with invested capital might transfer his investment and would transfer it to that part of the Empire where he would pay the lowest taxation.

**Mr. MASSEY** : Very well. That is not the idea in my mind or in the mind of any one of the members of the Conference, I am quite certain. The idea is this, that a man in such a position as that referred to by Mr. Chamberlain, if he thought about transferring his capital to that Dominion which charged the lowest possible rate of Income Tax, would be faced with this position, and I think it is a position most of us will agree with, that in such a case he would be called upon, and the law ought to provide that such a man should be called upon, by the legislature of the United Kingdom to pay the difference between the rate of Income Tax in that country and the rate of Income Tax which the ordinary British citizens pay in the United Kingdom. That is what was contemplated in all the previous discussion, and I think that power should exist. However, that is a matter for the British Legislature itself rather than for us or for this Conference.

**Sir GEORGE PERLEY** : I would like to call attention to the word “may” in the second line of the last section. If you put “should” in the last line but one I think it would be better to have “should” in the second line: “The Conference therefore urges that this matter should be taken in hand,” and “an amendment of the law should be made.”

**Mr. MASSEY** : It is consequential: I do not think it makes a great deal of difference, but I do not object to it.

**CHAIRMAN** : May we adopt that Resolution as amended?—(Agreed.)

#### **Development and Control of Natural Resources.**

**CHAIRMAN** : The next business of the Conference is the motion standing in the name of Sir Robert Borden, which was before the Imperial War Cabinet yesterday.

**Sir ROBERT BORDEN** : I should like to say a few words, but I shall not take more than three minutes. As I have already informed you, Mr. Long, privately, this Resolution was considered by the representatives of the Overseas Dominions before I gave notice of it, and its terms are accepted by them. At your suggestion, Sir, it was referred, before its consideration here, to the Imperial War Cabinet, and, without saying more, it may be prudent to place on record that it has the complete and unanimous sanction of the Imperial War Cabinet, so that we are at full liberty to consider it from that point of view.

It does not seem to require any prolonged explanation: It begins, “Having regard to the experience obtained in the present War, this Conference records its opinion that the safety of the Empire and the necessary development of its component parts require prompt and attentive consideration, as well as concerted action, with regard to the following matters:—(1) The production of an adequate food supply and arrangements for its transportation when and where required, under any conditions that may reasonably be anticipated.” That is so obvious a necessity from the experience of the present War that I need not urge it. That experience has brought to light and emphasized certain considerations not previously apparent; and to-day there is no doubt as to the importance of having in the United Kingdom, in case of future necessity, a more adequate supply for



Sir ROBERT BORDEN—*cont.*

emergencies than has been considered necessary in the past. That subject, however, is rather for domestic determination than for any suggestion by this Conference.

The next subject mentioned in the Resolution is: (2) "The control of natural resources available within the Empire, especially those that are of an essential character for necessary national purposes, whether in peace or in war." The experience we have gained during the past few years indicates the importance of this conclusion. Unfortunately, we have found out that certain natural resources vitally necessary for national purposes, particularly for national purposes in war, have been more or less under the control of enemy nations, and were under that control at the outbreak of war. I take it therefore there should be no objection from this Conference or from any source to the affirmation of the principle embodied in the second paragraph of the Resolution.

The third portion of the Resolution declares to be desirable "The economical utilisation of such natural resources through processes of manufacture carried on within the Empire." We have also learnt from the experience gained in this War that natural resources which we absolutely control have been utilised for the upbuilding of industries in enemy nations and utilised in that respect to our disadvantage. Our empire supplied the raw materials without which many industries in enemy nations, useful not only in peace but in war, were upbuilt in the first instance and have since been carried on. When war broke out we were without adequate supply, and we had no development which would enable us to produce it. It was in view of all these considerations that I took counsel with my colleagues from the Oversea Dominions as to the affirmance of the principles embodied in this Resolution, and, having obtained their assent to that view, in which they all heartily concurred, I have brought the subject to your attention, and it now stands here with that sanction and with the unanimous approval of the Imperial War Cabinet. I therefore beg to move the Resolution.

Mr. MASSEY: I second that motion.

CHAIRMAN: It is moved by Sir Robert Borden and seconded by Mr. Massey. Does anybody wish to make any reference to it?

Sir JOSEPH WARD: I am in full accord with the proposals contained in Sir Robert Borden's Resolution, and at the meeting, to which he very kindly invited me, we all assented, and it is quite the fact that as far as the Imperial War Cabinet is concerned it has been dealt with there, but one cannot allude to any aspect of the matter discussed there except to say that it was very favourably received.

When this War is over it is beyond all question that the first portion of Sir Robert Borden's Resolution in connection with transportation will be dealt with, in my opinion, by all the oversea countries, and whatever any British country may do, is entirely for that British country to decide for itself. The result of this War has been, unhappily for the whole of us, an unpreventible and an unparalleled increase in the cost of the transportation of products from all parts of the Empire to the heart of the Empire for the requirements of those who are working for the preservation of the Empire, the Army, and the Navy. It may be, when this War is over, with the depletion of shipping, that, with the greatest efforts made, a long period may supervene before the ships themselves in the necessary number to carry on the trade of the world can be got so as to ensure a quick lowering of the freights, which is so essential from the point of view of the producing countries, and also essential from the point of view of any consuming countries to which those producing countries send their products. It seems to me to be of the greatest importance that the first Resolution of Sir Robert Borden should be favourably entertained, as I have no doubt it will be, in connection with the future development of the Empire as a whole. I want to say that with the other portions of his proposal about the control of the natural resources available within the Empire, and their economical utilisation, I am in hearty accord, because I recognise, and I am perfectly certain that every sensible man engaged in public life all over the British Empire recognises, that we have got a stupendous work before us at the conclusion of this War, and, whatever the final decision may be, and whatever the internal difficulties in any portions of our countries may be, it seems to me to be of



25 April 1917.] DEVELOPMENT AND CONTROL OF NATURAL RESOURCES. [13th Day.

Sir JOSEPH WARD—*cont.*

vital consequence that there should be co-operation and co-ordination as soon as possible and as far as possible for giving full effect to the proposals contained in Sir Robert Borden's Resolution. I have very much pleasure in supporting it

Mr. MASSEY: On this subject of transportation I would just like to say that it is a subject which intensely concerns us on the other side of the world; but while I am in accord with the opinion which Sir Joseph Ward has expressed, it is just as well to mention (because this is all going on record now) that our difficulty has arisen from the fact that a very large proportion of the British mercantile marine is employed not only for the purpose of carrying on the War from the British point of view, not only in connection with carrying supplies to the British Army, and the supplies required by the Imperial Navy, and the population of the United Kingdom, but also because many of our ships are to-day being used and will be used so long as the War lasts, necessarily, for the purpose of carrying supplies to our Allies in France and the French Army, to Italy and the Italian Army, to Russia and the Russian Army, and for the purposes of the combined forces which are at present at Salonika. That is a difficulty we are suffering at present, but when the War comes to an end those ships will be immediately released, or very soon after the War, and in consequence we may expect a great improvement in the transportation of goods within the Empire itself, and produced within the Empire, to other countries outside the Empire where those goods are required. I do not want to repeat more than I can possibly help what I have said on a previous occasion, but this question of transportation is undoubtedly of tremendous importance to the Oversea Dominions, even more than to the heart of the Empire, because unless something is done it will be made impossible for us to compete with other countries outside the Empire which are nearer to the markets of the world than we are. That is our difficulty. This question came up (and I am not committing any breach of confidence in saying this) somewhat unexpectedly yesterday on a motion of mine which was being discussed by the Imperial War Cabinet. I am not going to repeat any of the opinions expressed, because we have not done with it there; it is to be dealt with there; Members will recollect the question was so important that the wording of the Motion was referred to a special Sub-Committee and is being dealt with by the Sub-Committee this afternoon, and I have no doubt that during the next two or three days a great deal more will be said on the subject. However, I take the opportunity of saying now that I, representing New Zealand, along with my colleague Sir Joseph Ward, realise the tremendous importance of some great improvements being made in this respect not only by the Government of the United Kingdom, but also by the Governments of the Dominions themselves.

*The Resolution was put to the Conference by the Chairman and agreed to as follows:—*

Having regard to the experience obtained in the present War, this Conference records its opinion that the safety of the Empire and the necessary development of its component parts require prompt and attentive consideration, as well as concerted action, with regard to the following matters:—

- (1) The production of an adequate food supply and arrangements for its transportation when and where required, under any conditions that may reasonably be anticipated.
- (2) The control of natural resources available within the Empire, especially those that are of an essential character for necessary national purposes, whether in peace or in war.
- (3) The economical utilisation of such natural resources through processes of manufacture carried on within the Empire.

The Conference commends to the consideration of the Governments summoned thereto the enactment of such legislation as may assist this purpose.



25 April 1917.]

CONTROL OF IMPORTS AFTER THE WAR FROM  
PRESENT ENEMY COUNTRIES.

[13th Day.

**Control of Imports after the War from present Enemy Countries.**

CHAIRMAN: The next Resolution is one standing in Mr. Massey's name, which falls within the same category, but deals only with the question of the control of imports and the prevention of dumping. We might take it formally.

Mr. MASSEY: I beg formally to move the Resolution.

CHAIRMAN: The Resolution is as follows: "The Imperial War Conference consider it desirable with a view to prevent dumping or any other mode of unfair competition from present enemy countries during the transition period after the War, that the several Governments of the Empire, while reserving to themselves freedom of action in any particular respect, take power to control the importation of goods originating in such countries into the Empire for a period of twelve months after the War."

Mr. MASSEY: I move the Resolution standing in my name and which has been read by the Chairman.

CHAIRMAN: It is before the Conference. May we take it as agreed to?

Sir ROBERT BORDEN: Yes, I think we discussed the terms before, and certain suggestions made were embodied in it.

CHAIRMAN: Yes. (*Agreed.*)

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## FOURTEENTH DAY.

Thursday, 26th April 1917.

THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 3.30 P.M.

### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

The Right Honourable Sir ALBERT H. STANLEY, M.P., President of the Board of Trade.

The Right Honourable R. E. PROTHERO, M.P., President of the Board of Agriculture and Fisheries.

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.

The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.

The Honourable R. ROGERS, Minister of Public Works.

The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.

The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.

Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.

Colonel His Highness The MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.

Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.

Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.

Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.

Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.

The Right Honourable Sir MAURICE DE BUNSEN, G.C.M.G., G.C.V.O., C.B., Acting Assistant Under Secretary of State for Foreign Affairs.

The Right Honourable Sir F. PONSONBY, K.C.V.O., Keeper of the Privy Purse.

Lieutenant-General Sir C. F. N. MACREADY, K.C.B., K.C.M.G., Adjutant-General to the Forces.

Sir W. GRAHAM GREENE, K.C.B., Secretary of the Admiralty.

Sir H. LLEWELLYN SMITH, K.C.B., Permanent Secretary, Board of Trade.

Mr. GARNHAM ROPER, C.B., Assistant Secretary, Harbour Department, Board of Trade.

Mr. H. FOUNTAIN, C.B., C.M.G., Assistant Secretary, Commercial Department, Board of Trade.

Mr. PERCY ASHLEY, Board of Trade.

Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet, and

Private Secretaries.



14th Day.]

NATIONAL WAR MUSEUM.

[26 April 1917.]

**National War Museum.**

CHAIRMAN : I have been asked to mention to the Conference that there is a proposal emanating from His Majesty's Office of Works for the establishment of a National War Museum in this country, and a letter\* was addressed to me by the Director-General asking me to call the attention of the Dominions, Colonies, and all parts of the Empire to it, on the ground that it will not be complete if it does not illustrate by documents and materials, &c., the part which the Dominions have played in the War. On the other hand, it is thought probable that the Dominions will have their own museums. I thought the simplest plan was to mention it here, and then to send a copy of this letter to the Governors, and also to the Ministers over here.

Sir JOSEPH WARD : We have our museum in New Zealand where we want to deposit some of the war relics, but I suppose all the countries will really have an excess of them.

CHAIRMAN : Yes, I think so.

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**Imperial Preference.**

CHAIRMAN : Is Mr. Massey ready to propose his Preference Resolution ?

Mr. MASSEY : I move it, of course, but I do not think we need to discuss it now.

CHAIRMAN : This is the Resolution which was settled this morning at the Imperial War Cabinet :—

“The time has arrived when all possible encouragement should be given to the development of Imperial resources and especially to making the Empire independent of other countries in respect of food supplies, raw materials and essential industries. With these objects in view this Conference expresses itself in favour of—

“(1) The principle that each part of the Empire, having due regard to the interests of our Allies, shall give specially-favourable treatment and facilities to the produce and manufactures of other parts of the Empire ;

“(2) Arrangements by which intending emigrants from the United Kingdom may be induced to settle in countries under the British flag.”

Do you move that, Mr. Massey, in place of the motion which stands in your name ?

Mr. MASSEY : Yes.

CHAIRMAN : You adopt this in place of the original motion ?

Mr. MASSEY : Yes.

Sir ROBERT BORDEN : I will second that Resolution. I think it should be stated in connection with it that the whole subject has been discussed very fully and exhaustively in the Imperial War Cabinet, and the particular words of the Resolution have been settled by a Drafting Committee, so that great care and attention have been given to the precise phraseology as well as to the principle which is expressed. For that reason it is unnecessary here to go into any full discussion on the subject.

Sir JOSEPH WARD : I would like to say that, but for this matter having been up before and settled by the Imperial War Cabinet this morning, this Resolution would certainly be a subject for a very interesting discussion at this Imperial War Conference. I think we are all strongly in favour of what is contained in this Resolution, and personally I am very glad to see that we are going to have a practical course suggested.

\* See pages 158-9.



26 April 1917.]

IMPERIAL PREFERENCE.

[14th Day.]

CHAIRMAN: I am very glad that on this occasion a Resolution of this character can be passed with absolute unanimity, not only all the representatives of the Dominions concurring in it, but also those who happen to be representatives of the Home Government. We have the Secretary of State for India here, and I should just like to repeat what I said at the beginning of our proceedings, that it adds great interest, I think, to the passing of this Resolution to-day that the Secretary of State for India is present, when we remember the history of this movement for Imperial development and Imperial union. I regard this as a very great step. (Hear, hear.)

Mr. MASSEY: I would just like to add to what you have said, Mr. Long, that, if this Conference had done nothing else but agree to this Resolution, then the convening of the Conference would have been justified. In the ordinary course I should have spoken at some length in support of it, but I have said everything I wanted to say, or nearly everything I wanted to say, at the Imperial War Cabinet, and it is therefore not necessary I should repeat it now.

CHAIRMAN: It is passed unanimously.

General SMUTS: It is sufficiently clear from Sir Robert Borden's statement how the matter comes up here.

CHAIRMAN: Yes, it comes up here after full consideration by the Imperial War Cabinet.

General SMUTS: And that will go on record, because otherwise one would like to say something here about it, which I do not think, in view of that, is necessary.

Sir ROBERT BORDEN: For the reason which I gave I did not go into any discussion.

General SMUTS: No, but I think it should go on record.

Sir ROBERT BORDEN: I intended that, so that it should not appear that we were passing the Resolution in a casual way.

General SMUTS: You say it is very important?

Mr. CHAMBERLAIN: Very important.

General SMUTS: Yes, and therefore, otherwise, one would like to speak to it.

CHAIRMAN: It will be recorded that the Resolution is passed unanimously.

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## FIFTEENTH DAY.

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Friday, 27th April 1917.

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THE IMPERIAL WAR CONFERENCE MET AT THE COLONIAL OFFICE AT 3.30 P.M.

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### PRESENT :

The Right Honourable WALTER H. LONG, M.P., Secretary of State for the Colonies (Chairman of the Conference).

#### *Canada.*

The Right Honourable Sir R. BORDEN, G.C.M.G., Prime Minister.  
 The Honourable Sir G. H. PERLEY, K.C.M.G., Minister of Overseas Military Forces.  
 The Honourable J. D. HAZEN, Minister of Marine and Fisheries and Minister of the Naval Service.

#### *New Zealand.*

The Right Honourable W. F. MASSEY, Prime Minister.  
 The Right Honourable Sir JOSEPH WARD, Bart., K.C.M.G., Minister of Finance.

#### *South Africa.*

Lieutenant-General the Right Honourable J. C. SMUTS, Minister of Defence.

#### *Newfoundland.*

The Right Honourable Sir E. P. MORRIS, K.C.M.G., Prime Minister.

#### *India.*

The Right Honourable A. CHAMBERLAIN, Secretary of State for India.  
 Sir J. S. MESTON, K.C.S.I., Lieutenant-Governor of the United Provinces.  
 Colonel His Highness The MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., A.D.C.  
 Sir S. P. SINHA, Member Designate of the Executive Council of the Governor of Bengal.  
 Mr. H. C. M. LAMBERT, C.B., Secretary to the Conference.  
 Mr. E. J. HARDING, Junior Assistant Secretary to the Conference.

### THERE WERE ALSO PRESENT :

Sir G. V. FIDDES, G.C.M.G., C.B., Permanent Under Secretary of State for the Colonies.  
 Mr. A. D. STEEL-MAITLAND, M.P., Parliamentary Under Secretary of State for the Colonies.  
 Sir EDWARD TROUP, K.C.B., Permanent Under Secretary of State, Home Office.  
 Brigadier-General B. E. W. CHILDS, C.M.G., Director of Personal Services, War Office.  
 Sir E. R. HENRY, G.C.V.O., K.C.B., Commissioner of Police for the Metropolis.  
 Lieutenant-Colonel W. DALLY JONES, Assistant Secretary to the War Cabinet.  
 and  
 Private Secretaries.



27 April 1917.]

ADDRESS TO HIS MAJESTY THE KING.

[15th Day.

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**Address to His Majesty the King.**

CHAIRMAN: It has been suggested to me that it might be well to ask the Conference to consider whether they would like to adopt a suggestion, which has been made in more than one quarter, that we should ask permission to be allowed to present in person an address to our Sovereign. If the Conference so decide, then I will submit a draft of an address which they may be willing to consider. Perhaps it will be moved by the senior Prime Minister present. I will raise this presently when we have got through some of the other business on the Agenda.

Sir JOSEPH WARD: Does that mean that at the end of our business we should formally meet in the presence of the King?

CHAIRMAN: No; it means that we submit a request to the King to be allowed to present to him an address from the Conference.

Sir JOSEPH WARD: Together?

CHAIRMAN: Yes.

Sir JOSEPH WARD: All being present when the King is present?

CHAIRMAN: Certainly; we wait upon the King at Buckingham Palace to present to him an address from the Conference as a body.

Sir JOSEPH WARD; I think that is a most appropriate and very fine idea.

CHAIRMAN: We will discuss that further when General Smuts arrives. Now we will take the Indian Resolution.

**Reciprocity of Treatment between India and the Self-Governing Dominions.**

MR. CHAMBERLAIN: Mr. Chairman, I think I need say very little in regard to the Motion which I have laid before the Conference, for, thanks to the kindness of Sir Robert Borden— and I hope there is no impropriety in my referring to the matter— we were afforded an opportunity of discussing this subject at length and with the greatest freedom and informality at a gathering that he convoked. At that gathering Sir Satyendra Sinha expressed the feelings of Indians and put their case with a sympathy and earnestness, and at the same time a moderation which I know was recognised on all hands. I do not desire to-day to travel over the ground which he covered on that informal occasion. All I invite the Conference to do is, accepting the principle of reciprocity of treatment between India and the other Dominions in this matter of emigration and visits, to commend to the favourable consideration of the Governments concerned the Memorandum which we have laid before the Conference.\* The presence of the Indian representatives at this Conference marks a new stage in the development of the relations between India and other portions of the Empire, and the uniform consideration and kindness which have been extended to me and my colleagues from India throughout these gatherings have greatly moved us, and will, I am sure, be readily acknowledged and heartily welcomed in India. We are anxious that the entry of India into these Conferences should pave the way to a better understanding between India and the other Dominions, and we hope that in time, with that better understanding and with patience and forbearance on both sides, we may arrive at a solution of some of the difficulties which we have hitherto been unable to solve. Mr. Chairman, my colleagues and I recognise the strong feeling that there is in the Dominions that they wish to preserve the homogeneous nature of their population and the special civilisation which they have striven to cultivate, and I desire to make it clear that we neither claim nor expect anything like an unrestricted right of emigration and settlement in the Dominions. What we particularly ask is that in the first place British Asiatics, that is, Asiatics of British nationality, should at least not be less favourably treated than other Asiatics. In the second place, we would ask that the freest facilities possible be given to educated Indians for travel, for study, or for visits, as apart from settlement, in the Dominions for any purposes. Lastly, we would ask that a kindly and sympathetic

\* See Memorandum printed on pp. 159-162.



Mr. CHAMBERLAIN—*cont.*

consideration should be given to those Indians who have already been permitted to settle in the Dominions. The subject is dealt with in more detail in the memorandum which we have laid before the Conference, and I think it is unnecessary for me to develop that detail further.

With these few words, I will venture to move the Resolution, and I might say I do so by the request of my colleagues, and in particular by the request of Sir Satyendra Sinha, who I had originally thought would move the Resolution himself. I beg to move the Resolution of which I have given notice.

Sir ROBERT BORDEN: Mr. Chairman, I think there is a distinct advantage in having the representatives of India at this Conference, for the reason which has already been stated by Mr. Chamberlain. It has given us an opportunity to meet them face to face and discuss in a perfectly frank and at the same time courteous way the considerations that have to be taken into account and the view point of the different portions of the Empire which are here represented. I entirely agree with what Mr. Chamberlain has said respecting the manner in which Sir Satyendra Sinha presented the case at the informal gathering already alluded to. His presentation of the case was courteous, moderate, and reasonable, but it was not the less impressive on that account. Mr. Chamberlain has stated in a sentence the ideal and the aspiration of the self-governing Dominions with regard to their present social order and the type of civilisation which they are desirous of building up. It must not be understood that because of that ideal and because of that aspiration they desire to cast the slightest reflection on other ideals of civilisation which are of a more ancient order, and which may, and undoubtedly do, possess certain advantages and merits to which we cannot altogether lay the same claim. But there is the ideal and the aspiration to which I have alluded. Of course it is manifest that public opinion in all the Dominions of the Empire must be taken into account, because it would be idle for any Government to undertake what public opinion would not in the end sanction or sustain.

I am very happy indeed to agree to the Resolution which Mr. Chamberlain has moved, and to say also that the considerations he has mentioned and those which are set forth in the Memorandum alluded to in the Resolution, will be taken into account. We shall do our best to arrive at a fair understanding with regard to these matters, and I have a somewhat confident hope that a clear understanding will be reached.

CHAIRMAN: Does any other member of the Conference wish to make any remark?

Mr. MASSEY: I would just like to say, before you put the question, Mr. Long, that I support the motion which has been moved by Mr. Chamberlain, and I am quite sure that I express the opinion of my fellow members when I say, following up the point that has been made by Sir Robert Borden, that it has been a great advantage to us and to the Conference to have had with us the representatives of India during the last few weeks. I trust that with the good start which has been made—and I think that a very good start has been made—the people of the different Dominions and the native races of India will be able to work together for the good of the Empire of which we are all fellow citizens, and I hope that when another Conference comes along, as it will in due course, we shall all meet again, and continue to build upon the foundation which has been laid since we met a few weeks ago.

Sir SATYENDRA SINHA: Permit me just to say in one word what I feel with regard to the very sympathetic and courteous treatment with which the Conference has met this question of the position of Indians in the Empire. I am perfectly certain that the spirit which has been shown by my fellow members of this Conference augurs well for the future, and that such questions as are still outstanding will be solved to the satisfaction of both parties in the same spirit as this has been treated now. I desire to thank the members of the Conference from all the Dominions overseas for the kindness and courtesy with which they have treated this question.



27 April 1917.] RECIPROCITY BETWEEN INDIA AND THE DOMINIONS. [15th Day.

Sir JOSEPH WARD: Mr. Long, the way this Conference has stood out is specially interesting from the fact that one of the greatest possessions of the British Empire has had representation here in the person of the members from India, in addition to the distinguished representative of India who is in His Majesty's Government. It marks an accession to the very fast development which has already taken place between all parts of the Empire, particularly in their attachment to the Motherland, which augurs well for the future development in the direction of greater solidarity which so many people have earnestly hoped might be brought about as the years roll by. In the future development of the Empire, it appears to me that the attendance of these gentlemen here marks an advance in connection with Empire matters that is invaluable from the point of view of the Empire as a whole. I am one of those who do not believe it to be possible to have a satisfactory condition of things from an Empire point of view brought about for its future regulation from the heart of the Empire unless India has representation. Apart altogether from the privilege of having the opportunity of meeting the representatives from India upon this occasion, it is to my mind an epoch-making event, which is in all probability destined to be one of great significance, and I hope of potent value to the Empire as a whole in the years that are to come. The Resolution, the preliminaries to which were discussed at that informal gathering in Sir Robert Borden's room a week or so ago, is one that to a very large extent is more of a general character than a specific one. It is clear to my mind that in our respective countries, at all events in New Zealand, when the Resolution as modified comes up for discussion there, it will be carefully viewed by Members of Parliament, and, through them, by the people of the country. I am quite satisfied that some of the difficulties which in the past have existed and have been almost insuperable will within the limits of this Resolution probably be favourably entertained, and the fact that the representative of India who last spoke was so moderate in his ideas as to what should be done in connection with this matter will be appreciated from the point of view of the public men. I for one—and Mr. Massey has already spoken to the same effect in his remarks which he made this afternoon—will do what I can to see that this feeling of mutual regard, mutual attachment, mutual respect, and mutual service between the Motherland, the great Indian Empire, and the Oversea Dominions is carried forward to a point that will make it valuable for the Empire as a whole and stronger, I believe, for every one of us. I have very much pleasure in supporting the Resolution.

General SMUTS: I wish to say a few words, Mr. Chairman, on this subject, especially as the matter of the treatment of Indian immigration in South Africa as you know, has been a cause of constant trouble, not only between us and the Empire of India, but between us and the Colonial Office and the India Office. I agree with the former speakers that a departure has been made in this Conference in bringing the representatives from the Empire of India to this Conference, which will go far to obviate the recurrence of such troubles in the future. In South Africa there has been this fundamental trouble, that the white community have been afraid of opening the door too wide to Indian immigration. We are not a homogeneous population. We are a white minority on a black continent, and the settlers in South Africa have for many years been actuated by the fear that to open the door to another non-white race would make the position of the few whites in South Africa very dangerous indeed. It is because of that fear, and not because of any other attitude towards the question of Asia, that they have adopted an attitude which sometimes, I am bound to admit, has assumed the outward form, although not the reality, of intolerance. Luckily we have got over those difficulties. The visit of the late Mr. Gokhale to South Africa did an enormous amount of good. His visit was followed later by the visit of Sir Benjamin Robertson, a distinguished public servant of India, who also assisted the Government to overcome great difficulties on this point some years ago. The result has been the passage of legislation to which both the white and the Indian communities in South Africa agreed. There is still a difference of opinion on administrative matters of detail, some of which are referred to in the Memorandum which is before us, but I feel sure, and I have always felt sure, that once the white community in South Africa were rid of the fear that they were going to be flooded by unlimited immigration from India, all the other questions would be considered subsidiary and would become easily and perfectly soluble. That is the position in



15th Day.] RECIPROCITY BETWEEN INDIA AND THE DOMINIONS. [27 April 1917.

General SMUTS—*cont.*

which we are now—that the fear which formerly obsessed the settlers there has been removed; the great principle of restricting immigration for which they have contended is on our Statute Book with the consent of the Indian population in South Africa and the Indian authorities in India, and, that being so, I think that the door is open now for a peaceful and statesmanlike solution of all the minor administrative troubles which occurred and will occur from time to time. Of course the main improvement has been the calling of India to the Council Chamber of the Empire. Here, if any question proves difficult of treatment, we can discuss it in a friendly way and try to find in consultation a solution, and I am sure we shall ever find it. I for one do not consider that, amongst the multitudinous problems which confront us in our country, the question of India will trouble us much in future.

Sir E. MORRIS: I should just like to say a word in favour of the Resolution. I think it is a distinct gain and a distinct advance, from an Empire standpoint, to have summoned the representatives of India and the Secretary of State for India to this Conference, not alone from the standpoint of being members of the Empire—and a very important portion of the Empire—but from the fact that they have, in a way, established the right to be here, to which I need not refer, as it is now a matter of history. I think the members who have taken part at this Board have very firmly established a claim for very great consideration from not alone the Dominions, but also the mother country. I think that if this departure had been made earlier, if the barriers which seemed to exist, and which some did not understand—the very serious barriers that separate India from the other portions of the Empire—had been removed before, the chances are that, instead of the contribution they have given to the War, they would probably have contributed nearly all the men that would have been required. Then, again, we must be alive to what is taking place in India. A great industrial awakening has just commenced in India, and, when I say “just commenced,” I mean in the last few years; but there can be no question in the mind of anyone who has studied what is going on in India, that India can never go back to where she was, and that in the very near future a wonderful development is going to take place there, and the good feeling which is now being engendered by this Conference, and especially by this Resolution will, I think, do a great deal to promote the very best feeling. In Newfoundland, which I represent, we are a very small Dominion, and we have never had any restrictions whatever against India as regards immigration, and there is no likelihood of any, because we have probably not had the reasons which have made it necessary for other Dominions in the Empire to consider legislation of that kind. Personally, I am very pleased indeed that this Resolution has been proposed, and, with the other speakers, I feel that great good is certain to come from it.

CHAIRMAN: May I put the Resolution? “That the Imperial War Conference, having examined the Memorandum on the position of Indians in the Self-Governing Dominions, presented by the Indian representatives to the Conference, accepts the principle of reciprocity of treatment between India and the Dominions, and recommends the Memorandum to the favourable consideration of the Governments concerned.”

Will those in favour say “Aye;” on the contrary, “No.”—That is carried unanimously.

#### Address to His Majesty the King.

CHAIRMAN: Before we pass to the next subject-head on the Agenda, may I ask the Conference whether they are prepared to adopt the suggestion which I indicated a few moments ago, and which I propose to make, namely, that we should approach His Majesty the King, and submit a humble request that His Majesty may be pleased to receive us and to accept at our hands an address of loyalty? If the Conference agree, I should propose to move this Resolution:

“That His Majesty the King be asked to receive the members of the Imperial War Conference now in session, who desire to present a humble address to His Majesty.”

If the Conference agree to that, then I propose to read to them a draft of the address which I recommend for their consideration.



27 April 1917.]

ADDRESS TO HIS MAJESTY THE KING.

[15th Day.]

Sir ROBERT BORDEN: Mr. Chairman, I at once give my most cordial assent to the proposal. I think that the presentation of such an address by the Conference to the King in person would signalise in a very marked way, and in a very proper way, the important labours on which we have been engaged, and nothing could bring more clearly to the understanding of the people throughout the Empire the importance of those labours than the course which you have just now proposed.

Mr. MASSEY: I agree with Sir Robert Borden. I think the idea that has been suggested is a particularly good one, and should certainly be given effect to. I think it is a splendid thing that the representatives of the Dominions and India should be able to go along to the Sovereign, the King and Emperor, in the great crisis through which they are passing and express their loyalty in the manner proposed. I am only sorry that there is one great Dominion, the Commonwealth of Australia, which is not directly represented here; but, while regretting the absence of a representative of Australia, there is no doubt about the loyalty of the people of that great country—none whatever. It is their misfortune rather than their fault that they have no direct representation on the Conference. So far as I am concerned, Mr. Long, I have no hesitation in giving my cordial and hearty support to the proposal you have made.

Sir JOSEPH WARD: Mr. Long, may I be permitted to congratulate you upon having brought forward this matter, and to say that I do not know of anything at the moment which is so likely to strike the imagination of the peoples in the various portions of the Empire itself, and especially in the Oversea Dominions, as the attachment between the important Empire work of this Conference and the King-Emperor. This is an epoch-making Conference in some respects. We are met in the time of a titanic struggle for the maintenance of the Empire as a whole and the preservation of civilization. We have the representatives of the Indian Empire here for the first time. We have heard the most important proposals indicated by the Prime Minister of this country to-day when he was receiving the freedom of the City of London, and the many important matters to which he alluded there will become a question for active consideration in the various portions of the Empire, and to my mind there is no period in the history of the world, and especially in that which we regard as our own world, that of the British Empire, when the feelings of the people, through their representatives, of loyalty to the King himself were more acute, stronger, and greater than at the present moment. For that reason, I think, the idea that has been suggested of submitting a Resolution to be presented to the King in person is one of great appropriateness, and one with which I am most heartily in accord.

CHAIRMAN: May I take it that the Conference agrees to that Resolution?

The MAHARAJA OF BIKANER: I only wish to say that the sentiment of loyalty and devotion to the King-Emperor personally throughout India is so well-known that I do not think any further or long remarks are necessary from me beyond saying that my colleagues and I, on behalf both of British India as well as of the territories of the ruling Princes and Chiefs, will most heartily welcome and endorse the suggestion which has been made.

CHAIRMAN: May I take it that the Resolution is adopted by the Conference?

*Carried unanimously.*

CHAIRMAN: This is the proposed Address:

"To His Gracious Majesty, King George V., the King of the United Kingdom of Great Britain and Ireland and the British Dominions beyond the seas; Defender of the Faith, Emperor of India: May it please Your Majesty, We, the Members of the Imperial War Conference now in Session, approach your Majesty with an expression of our firm loyalty and that of the peoples whom we represent to Your Majesty's throne and person. Summoned to the centre of Your Majesty's Empire in the midst of the greatest War that has ever



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CHAIRMAN—*cont.*

afflicted the human race, it has been our privilege to share in the deliberations of Your Majesty's advisers in this country and to review with them the measures necessary to the victorious conclusion of the conflict in which we are engaged. We have further in our Imperial War Conference considered the steps which may be required to ensure that the fruits of victory may not be lost by unpreparedness in the time of peace, and so to develop the resources of the Empire that it may not be possible hereafter for an unscrupulous enemy to repeat his outrages upon liberty and civilisation. We shall return to our homes inspired by the magnificent efforts put forth by all classes of Your Majesty's subjects throughout the world, confident that the trials and sacrifices borne in common must draw still closer the bonds of Imperial unity and co-operation, and determined each in his own sphere to leave nothing undone which may attend to the safety, honour, and welfare of Your Majesty and Your Dominions."

I do not know if the Conference think that that address would be in conformity with their wishes, or whether they would like to consider it further.

Sir ROBERT BORDEN: I think it is quite appropriate.

Mr. MASSEY: I think it fills the bill.

CHAIRMAN: Then I will make the due submission to the King. I have already ascertained that it will be the King's pleasure to receive the Conference, and it will only be a case of receiving His Majesty's commands as to the time and place.\*

\* \* \* \* \*

### Notices of Motion.

Sir JOSEPH WARD: May I ask leave to put on record three Notices of Motion which I have given. I want to put them in their sequence in order to have on record the fact that I intended when I gave notice of them to bring them up for discussion and decision. It is not because they are not sufficiently important to be considered that they have not been discussed, but it is because of the fact that time has not admitted of it, and one of them at least would take a considerable time to discuss. I feel it only right in deference to the necessities of time and the convenience of some of the members of the Conference who have to return to their respective countries that these should stand over for future consideration, but I should like to be permitted to put them on record, and have them included in the records of this Conference.

CHAIRMAN: Yes.

Sir JOSEPH WARD handed in the following Motions:—

#### *Steamship Communications.*

"That this Conference re-affirms the Resolutions passed at the Imperial Conferences in 1907 and 1911, that it is desirable that Great Britain should be connected with Canada, and, through Canada, with Australia and New Zealand, by the best mail service available.

"That for this purpose a fast mail service should be established, both between Canada and Great Britain, by the route across Ireland, and on the Pacific between Vancouver, Fiji, Auckland, and Sydney; in the former case by steamers capable of performing the voyage at an average speed of not less than 25 knots, and in the latter case of not less than 18 knots.

\* NOTE.—The Address was presented to His Majesty the King at Windsor Castle on 3rd May 1917. His Majesty's reply is printed on pp. 162–163.



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"That, as soon as the exigencies of the War permit, the necessary harbour accommodation and train ferry arrangements shall be provided on the route chosen.

"That such financial support as may be required to ensure the fastest possible service shall be jointly contributed in equitable proportions by each of the countries that agree to the establishment of such a service."

*Cable and Wireless Communications.*

"That it is in the highest interests of the Empire that the rates for telegraphic communications between the United Kingdom, Canada, Australia, South Africa, and India should be further materially reduced.

"That there is real necessity for improvement in the news service of the Empire and that it is essential that Imperial news should reach the various countries of the Empire through British rather than foreign channels.

"That in order to ensure generally the cheapest and most secure telegraphic communication between the United Kingdom, Canada, Australia, and New Zealand, it is necessary they should co-operate in the provision of a State-owned cable across the Atlantic and a connecting land line from Nova Scotia to Montreal, which should communicate with the line across Canada now leased by the Pacific Cable Board.

"That it is of vital importance that the United Kingdom, Canada, Australia, New Zealand, South Africa, Newfoundland and India should co-operate in the maintenance and further development of a chain of British State-owned high-power wireless stations within the Empire."

*Organisation for the Development of Imperial Resources.*

"That it is desirable to create a permanent organisation representative of all parts of the Empire to investigate, co-ordinate information, and report periodically to the various Governments upon all matters relating to the development of the Empire's resources, the extension of Imperial trade, and the strengthening of Imperial lines of communication."

**Concluding Resolution.**

CHAIRMAN: That, gentlemen, concludes our business to-day, as I understand.

Sir ROBERT BORDEN: Mr. Chairman, before we separate to-day, I should like to propose a Resolution, which I am sure will command not only the unanimous but the very hearty approval of all the Members of the Conference. It is, of course, unfortunate that we have not had here the advantage of the presence of representatives of the great Australian Commonwealth. We realise, but at the same time we deplore, the necessity which has prevented them from joining with us in our labours, which I think have been of very great importance, and in which we have, in every instance, arrived at a unanimous conclusion. It is a striking fact that in this Conference every Resolution has been passed by a unanimous vote.

The observations which I desire to make relate to a motion expressing appreciation by the members of this Conference of the labours and the service which the Secretary of State for the Colonies has given to us all. He has had a very long and distinguished career as a parliamentarian, as an administrator, as a statesman. It is but just to say that, in all matters of common concern to the Empire, he has always been characterised by exceedingly wide vision, and by a very full conception of the possibilities to this Empire of a more perfect Imperial unity and co-operation, and at the same time he has always realised the very great difficulties which lie in the path of those who undertake to bring about any great project for that purpose. We know that the Crown Colonies, not yet enjoying the full measure of responsible Government, have been the particular care and concern of the Secretary of State, but we also realise that in him the self-governing Dominions have had a good friend and a stout champion in so far as all their interests are concerned; and the very fact



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Sir ROBERT BORDEN—*cont.*

that he has possessed and has always shown the wide vision and the great conception to which I have alluded makes it eminently appropriate that he should fill this high office. It is also very appropriate, as has been observed before, that the son of a great statesman, who, perhaps more than any other, impressed upon the imagination of the British people the possibilities of a great Imperial Commonwealth, should be sitting with us around the table as Secretary of State for India.

Perhaps the Secretary of State for the Colonies will permit me to say that we in Canada have felt an especial spirit of sympathy with him, because one who was very near to him indeed, and who has made the great sacrifice for the Empire, was with us in Canada for many years, and it is not too much for me to say, that all who knew him there, not only respected and admired, but loved him as well.\* He was one of the finest and truest characters that it was ever my privilege to know, and I am glad that when I was here two years ago I had the opportunity of meeting him on his short leave from France, where he had already so splendidly distinguished himself in the service of his country.

It is through the earnest and assiduous labours of Mr. Long that we have been able to make such good progress and with such gratifying results as we now witness, and I hope all of us realise that, while the labours of this Conference have been pretty severe throughout, they have only formed a small portion of the work which daily had to be undertaken by the Secretary of State for the Colonies and by the Secretary of State for India as well, because they have their departmental affairs and their Parliamentary duties, which call for much of their time and energy. I think it would be quite inappropriate to omit a reference to the officers of the Department of the Secretary of State for the Colonies, who have rendered such excellent service to the Conference—the Parliamentary Secretary, the Permanent Secretary, and especially Mr. Lambert, who, as Secretary of the Conference, has had imposed upon him very heavy duties which he has fulfilled most admirably. We should not forget the Assistant Secretary, Mr. Harding, and Colonel Dally Jones as well, who has been indefatigable in his attendance and in his assistance. In mentioning these names, I do not wish to be understood as overlooking the services and assistance which have been rendered to the Conference by all the officers who have been in attendance and who have aided us so much.

I think we may congratulate ourselves upon the fact that the labours of the Conference have been attended with very useful and important results indeed. In some directions steps have been taken very much in advance of anything that has ever been attempted before. I am confident that in the Oversea Dominions of the Empire, and in the Mother Country as well, these results will be duly appreciated. It is all the more significant that this has been accomplished when we realise that the Conference was summoned on very short notice, that there was very little time indeed for preparation, and that the Agenda of subjects for discussion had practically to be taken up and considered after we had arrived in this country. It speaks well for the spirit of co-operation, the desire to serve, which has animated all the members of the Conference, that these good results have been attained, notwithstanding the difficulties to which I have alluded.

I therefore have the greatest confidence in submitting to the members of the Conference this Resolution: "The Members of the Conference representing India and the Oversea Dominions desire before they separate to convey to the Secretary of State for the Colonies their earnest and sincere appreciation of his labours in preparing for and presiding over the Conference. They desire also to put on record their deep sense of gratitude for the many courtesies which they have received from the Prime Minister and the other Members of His Majesty's Government, as well as for the generous hospitality which has been extended to them by the Government and people of the United Kingdom."

Mr. MASSEY: Mr. Long, I wish to second the Motion which has just been moved by Sir Robert Borden, a motion with which I thoroughly concur, and which

\* Brigadier-General Walter Long, C.M.G., D.S.O., killed in action 28th January 1917.



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Mr. MASSEY—*cont.*

I heartily support. In supporting it, I may say that about the time the Conference met and for some little time afterwards, I felt doubtful as to its success, and my doubts arose from the fact that, in the case of many Ministers of the Crown in the United Kingdom, their time and attention were fully occupied, and very properly occupied, in assisting to carry on our share of the great War in which we are engaged. My doubts, however, have been dispelled. I am quite satisfied now that we have done good work, and that we have laid a foundation upon which future Conferences representative of the Dominions and India and the United Kingdom, and representative of the Dependencies and gentlemen who may in the future be Secretaries of State for the Colonies representing the Dependencies, will be able to build a great constitutional edifice, consistent with the dignity and importance of the Empire to which we belong. I would like also to say that I think, to those who sit round this table and who have had an opportunity of taking part in the business of the Imperial War Cabinet for the last few weeks, the proof of our success was contained in parts of the great speech which we heard delivered by the Prime Minister to-day in the Guildhall.

I have to say, too, that I am convinced that a great part of our success has been due to the tact and consideration displayed by you, Sir, as President of our Proceedings, and to the courtesy extended to us as representing the Oversea Dominions during the time the Conference has been going on. I think, Sir, that the citizens of the Empire have reason to congratulate themselves upon the calibre of the men who have in years gone by occupied the position which you now occupy, and which you worthily fill—I say upon their calibre, upon their statesmanlike qualities, and upon their wide outlook preparing for the future Imperial possibilities. Sir Robert Borden has referred to a gentleman who has passed away, whose name even to-day is revered in the Oversea Dominions; I speak of the Right Honourable Joseph Chamberlain. I may say now—and I am not expressing this opinion because we are privileged to have his son with us at this Conference—that, in connection with Imperial matters, I looked upon the Right Honourable Joseph Chamberlain as my Leader, and when my fellow Members requested me to occupy a seat on the Front Opposition Bench in the Parliament of New Zealand, one of my first duties—this is on record—was to second a motion moved by the then Prime Minister expressing the appreciation of the New Zealand Parliament of the great services rendered by the gentleman whose name has been mentioned. I shall never forget that debate; it was one of the most interesting debates in which I ever took part, and many very fine things were said of the gentleman who was then alive, but who, unfortunately for the Empire, has since that date passed away.

I should like too, to express on my own behalf, and on behalf of the people whom Sir Joseph Ward and I represent here, our sympathy with you, Sir, in the bereavement which you and the other members of your family sustained only a few weeks ago; your son gave his life for his fellow citizens, for his King, and his country, and I need hardly say that the manner of his death was worthy of the very highest traditions of the great Imperial race to which he belonged. I should like to add my tribute on account of the assistance given to us and the courtesy extended to us by the different Government officials, using that general term for want of a better one, who have been present at the meetings held in connection with this Conference.

I have nothing more to say, except that I second the Motion moved by Sir Robert Borden.

General SMUTS: I cordially endorse the remarks which have fallen from the previous speakers.

Sir EDWARD MORRIS: I should like also, Mr. Long, to add my entire support to everything which has been so appropriately said by Sir Robert Borden and by Mr. Massey in relation to your work and that of the gentlemen who have been named.



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Sir JAMES MESTON: We, who come from India and are the youngest recruits at this Conference, would like to add our tribute to what has already been said. It is a new, and I may say a wholly unexpected, experience for us that we should be asked to sit at a Conference presided over by the Secretary of State for the Colonies. Some of us were a little apprehensive and a little timorous of the Colonial organisation, but that apprehension and those feelings have been entirely dispelled, partly by the great kindness of the Dominions representatives but largely by your own personal care and courtesy for us. We feel we have some reason to think that not only the consideration which we have received here, but the very fact of our presence here, is due to your good will, and we wish to return you our cordial thanks for all that you have done for us during our stay here. We should also like to add our expression of appreciation of the work that has been done for us and the help that has been given us by the permanent officials of the Conference.

Sir JOSEPH WARD: Before you reply, Mr. Long, I would like to add my words of sincere appreciation to you for the courtesy and consideration you have extended to myself among the other gentlemen who are here since my visit to London upon this important occasion. I endorse fully those words which have been so well expressed both by Sir Robert Borden and Mr. Massey as conveying my appreciation of the ability which has been shown by you in connection with the procedure of the Conference. I would like to add my acknowledgment also of the good work done by the officers. It has been to me a matter of very great surprise the regularity with which important and detailed information has come to the whole of us since our arrival in London from the high officials, and those attached to the Conference itself, since the beginning of this Conference. I want to express my warm appreciation for the general courtesy extended to us by the whole of the officials in that respect.

I would like also to add my words of pleasure at the outcome of this last meeting that is going on record from two Prime Ministers, one of Canada, and one of New Zealand, with regard to that portion of the work which appears to me to be starting on a practical road to solution now, which was initiated and put on record all over the world by the late Mr. Joseph Chamberlain. It appears to me to be most appropriate that the distinguished son of a distinguished father should be here on an occasion when the fact that this Conference has affirmed unanimously his views upon the all-important matter of Preference has been indicated by the Prime Minister of this country to-day as the policy which, as I gather from his speech, is likely to be put into practice in the near future after the War. I make this statement because I happen always to have been a supporter of Preference throughout the Empire, and I recollect perfectly well, at the time it was first announced, speaking upon it in our country, and I have consistently supported something of the kind being carried into practice ever since. So it is on this occasion a matter of very great interest to me that upon the last day of the meeting of this Conference there should be a reference sincerely made to the fact that Mr. Austen Chamberlain is here taking part in a Conference that has been to some extent, I hope, helpful in affirming the views of his late distinguished father in connection with that all-important matter.

I think the occasion is an appropriate one for me to say, with reference to one of the Resolutions which, under your guidance as Chairman of this Conference, has been passed, that I feel persuaded that it will not in the recess be allowed to sink into forgetfulness either on your part or on the part of any one of us. We have passed one Resolution, and I am going to quote a part of it: "The Imperial War Conference are of opinion that the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the War, and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities." It may be inappropriate to suggest to Mr. Long anything which he does not conceive to be his duty in connection with a matter of this kind, but I want to say that before the meeting of the present Conference, important as it has been—and it has been very important—there were aspirations certainly on the part of the people of the Dominion from which Mr. Massey and I come that something of that kind in the general interests of the Empire should be done. Owing to the impossibility of doing it as the outcome of this War, and from the information that came before us here, it



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appeared to be quite right and unavoidable to defer it. In my opinion, whoever may come to the next Imperial Conference—and I hope Mr. Long may continue to occupy the position he holds, and to be responsible for the information going out to the respective Governments—the matter is so important that the representatives of the Oversea Countries ought not to leave their countries to come here without knowing that this is intended to be brought up specially with a view to discussion, however long a time it may take, in order to prevent the possibility after peace comes of altogether too quickly forgetting the circumstance that during the War, from the necessities of the War which stand before us so prominently, its consideration was deferred. There should not be a long lapse of time allowed for men to remain in their own countries for a long time without having as early an opportunity as possible of arriving at some decision upon a matter which I believe to be vital for the future of the Empire itself. I briefly call attention to it as it is a very important matter. There are numbers of people all over the British Empire who so regard it, and I am sure we ought to be able, whoever comes to a Conference in the future, to know that this is one of the matters which the British Government propose should be brought up for serious consideration at the Imperial Conference. I feel it my duty to allude to it, and I would only further say that the work done by the Conference will, on the whole, I think, have good results. I am afraid we have been naturally and unavoidably at times the cause of a good deal of extra work being imposed upon Mr. Long and those who are associated with him, and I want to acknowledge my personal indebtedness to him and to them for the way in which they have made our course easy.

Mr. HAZEN: Mr. Chairman, I should like to add my few words of praise to those which have been uttered by the other members of this Conference. I fully concur in the Resolution that is placed before the Conference which is now under consideration, and with the remarks that have been made by my leader, Sir Robert Borden, and by the Prime Minister of New Zealand with regard to it. It might not perhaps be unfit for me to say that I cordially agree that the Chairman has presided over the deliberations of this Convention with infinite patience, with unfailing courtesy, and with very great ability, and that the promptness with which he has dealt with the different matters that have been brought before us for consideration, and the tact which he has displayed on all occasions have had very great influence in shortening the proceedings of the Convention, which might otherwise have been extended to very great length.

I would like also to say that I agree fully with what has been said with regard to the pleasure it has been to us, and the advantage it has been to us, of having here as a representative of India, the son of that great Imperial statesman, the late Right Honourable Joseph Chamberlain. I have always been a strong supporter of Preference. I have admired the work which Mr. Chamberlain did in advocacy of that great scheme, which would do so much to promote Imperial unity, in my opinion, and to promote the welfare of the Motherland and of the Dominions beyond the seas which make up the British Empire, and I think we may safely say to-day that the work which Mr. Chamberlain did twenty years ago is bearing fruit, the fruition of which will be seen in the very near future.

While not in any way disagreeing with what has been said with regard to the efficiency of those who have been the officials of this Convention, but on the contrary agreeing with every word that has been said with respect to their competence, courtesy, and ability, might I be permitted to suggest that it might possibly add to the efficiency of future conferences of this description if a portion of the Secretariat at least were composed of officials of the Oversea Dominions, representatives from which meet here for the purpose of considering the different matters that are placed before us. I simply mention that as an idea which has occurred to me, without attempting to elaborate it on the present occasion.

Sir GEORGE PERLEY: Mr. Long, I agree entirely with what has fallen from Sir Robert Borden and other members of the Conference in this connection, and I simply wish to say that perhaps no member of the Conference is in a better position



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to judge of the way in which you, Sir, have dealt with all matters connected with the Dominions, because in carrying out the duties of High Commissioner here, it has been my privilege and my pleasure to see a great deal of the present Colonial Secretary as well as of his predecessors, and I can bear witness that no one could have been more courteous or kind in dealing with the matters which are brought to his attention, or could have shown greater sympathy with the views and feelings of the Dominions, than Mr. Long has. Therefore I have great pleasure in supporting this Resolution, which, I think, deals with the matter exactly as it should be dealt with.

Sir ROBERT BORDEN: I have moved, and Mr. Massey has seconded, the Resolution which has already been read. Will those in favour signify the same by saying "Aye."—The Resolution is carried unanimously.

CHAIRMAN: Sir Robert Borden, Mr. Massey, and Gentlemen,—Perhaps you will allow me in the first place to thank Sir Robert Borden very warmly indeed for the reference he was good enough to make to my son. I value that reference and the words he was good enough to employ more than I can describe, because on the record of our Proceedings will go the testimony that the Prime Minister of Canada was good enough to pay to one whom he knew very well, who spent two eventful years of his life in Canada, and of whom Sir Robert Borden has been good enough to express the opinion which he and those who knew him in Canada formed, and which I, as his father, may perhaps be allowed to say I believe is not exaggerated. At all events, this I can say, that through all his life his one object was to do his duty. In the performance of his duty he ultimately gave his life, and I do not think any man, whoever he is, can do more than that during life, or can do more than that when the time comes to make the great sacrifice. I am most grateful to Sir Robert Borden for what he said.

Gentlemen, I need hardly assure you that I am very appreciative of the very generous words used both by the proposer and seconder and those who have supported this Motion. I am very conscious of my own innumerable shortcomings, and I confess I approached the task of presiding over this Conference with very great anxiety and no little misgiving, because I felt very much that our Conference would suffer in comparison with preceding Conferences by the absence of the Prime Minister. He is the President of the Conference, and as a rule presides over, at all events, a great part of the proceedings. Owing to the War, it was impossible to have him in the Chair, and nobody, I know, regretted his absence more than he did himself, unless it be myself; but I am not quite sure that I have regretted it altogether. I have regretted it for your sakes, Gentlemen, but I have not regretted it for my own, because it has enabled me to enjoy an honour and a privilege, the greatest which has ever fallen to me in my life, of presiding over this most representative and most distinguished assembly. Of course I recognise, as we all do, that the absence of Australia has made a great gap, and that consequently the Imperial representation has not been complete. The absence of Australia is due, as we have been reminded to-day, to no fault of Australia's, and to no difference of opinion; it has been due to the unfortunate circumstances which detained the Prime Minister in Australia and made it impossible for him to send a representative. I regret, of course, the absence of Australia, but I believe that in everything we have done we shall have the very cordial support of the Australian Government when they learn, as they will in due course, what our work has been.

Gentlemen, I may be allowed to thank you for your references to my assistants here, upon whose shoulders has fallen the real burden of the work. If you are satisfied with the way in which the Conference has performed its duties and has generally been conducted, that satisfaction is due in the first place to Mr. Lambert, the Secretary of the Conference, who has laboured day and night—I speak quite advisedly—in the performance of his very difficult task, rendered more difficult, as Sir Robert Borden reminded us, by the fact that a great deal of our work came on rapidly during our Session, and that we had not the long weeks and months of previous preparation which is usually the case in connection with Conferences. He



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has been most ably assisted by Mr. Harding, and I am glad indeed to know that this Conference has been pleased to recognise their labours, and also those of Colonel Dally Jones, the representative of the Imperial War Cabinet, whose assistance—and I speak from my own personal experience—has been of the greatest possible value. May I add that on many occasions when I have required counsel and advice I have always been able to fall back upon the wisdom, ripe judgment, and experience of Sir George Fiddes, who is the head of this great Office.

Gentlemen, will you bear with me for a very few moments—and I promise to be very brief—while I just say a word as to what we have done. I too, in conjunction with those who have spoken to-day, regard the formal inclusion of India in our councils as perhaps the biggest step we have made for a very long time. I would like to express my thanks to the Secretary of State for India and to the distinguished representatives from India for the way in which they have aided us in our councils here, and I desire to thank them personally for the immense help they have given to us in conducting our proceedings. Of course it has been of enormous assistance to me to have the Secretary of State for India here, and to have representatives of India at the first Conference over which I have been called upon to preside. It has been to me a very great privilege, which I shall remember as long as I live. I have to thank all the representatives of the Dominions for the rare—I do not know that it is rare, but for the very great and splendid generosity which they have shown to me; they have borne with all those shortcomings to which I have referred earlier with a splendid patience and a wonderful resignation, and between us we have managed to conduct our business, I hope, in a businesslike way, and I hope, as I believe, that advantage will accrue to the State. After all, we have dealt with questions such as the Constitution of the Empire, and questions of the greatest importance in regard to trade, and I, for one, hope that in any rebuilding up of the British Empire, trade, industry, and labour will be regarded as three of the most important foundation stones of its future greatness. We have dealt with the question of closer alliance within the Empire by a preferential system; and we have dealt with some minor questions, which, although not of the same importance, are of very great importance both to the Government here at home and to the various parts of the British Empire throughout the world. I am one of those who firmly believe in Conferences round a table; I believe if you can only get people, however different they may be in their views, or however opposed to each other, once round a table and get them to discuss things in a businesslike way, it is wonderful how difficulties seem to melt and obstacles to disappear, and you arrive at conclusions which, when you started your discussions, you would have thought to be impossible.

I am confident that out of the very close and intimate relations which have existed between us round this table there must grow very rich fruit for the Empire, through those whom we represent, in the future. We learn from each other; we help each other; and I cannot help thinking that our meetings both in the War Cabinet and in the War Conference will tend to bring this War to a more rapid conclusion, and I believe we shall contribute to one of the results which must follow from the War, viz., out of all this sacrifice and suffering—and surely greater sacrifice and greater suffering has never been found in the whole history of the world than this War now tells the tale of, every day adds to it and every day gives us a record of some new deed of heroism and some new and heavy sorrow brought to some fresh home—there must come for the British Empire a greater future. I am one of those who believe that our evolution is none the worse because it is slow and very often illogical. I hope we shall not be too anxious—and this I have ventured to say before, I think—to be in a hurry, but that we shall go rather slowly, though none the less steadily and surely, towards the goal we have in view, viz., the greater consolidation of the Empire for the advantage of the Empire, and for the advantage of all its citizens. I believe that out of all this the Empire will emerge purified by the suffering which she has endured, strengthened by the greater knowledge of her peoples in her different parts, which must result from Conferences like this, consolidated by the efforts which we in this Conference have made and by the work which we have done; if that be true, gentlemen, then surely we may look forward to



15th Day.]

CONCLUDING RESOLUTION.

[27 April 1917.]

CHAIRMAN--*cont.*

the time when the Empire will be able to face the world as the determined friend of peace and progress, and the undying enemy of tyranny and lust. It is because I feel our work contributes to this great supreme Imperial end that I am proud indeed to have been permitted to take a humble part in it, and to you, gentlemen, who have been so kind and generous to me as Chairman of this Conference I tender my warmest, my most respectful thanks; and I repeat that as long as I live I shall esteem it the greatest honour of my life that I have been allowed, as Secretary of State for the Colonies, to preside over this great Conference.

Mr. CHAMBERLAIN: Mr. Long, may I add one word of personal thanks to Sir Robert Borden and the other gentlemen who have spoken of my father's work, and who have welcomed me for his sake to this Conference. I am deeply touched by what they have said, and it will be very gratifying to my family as well as to myself.

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### III. PAPERS LAID BEFORE THE CONFERENCE.

#### I.

##### The Trade Commissioner Service.

*(Memorandum prepared by the Board of Trade.)*

*[See discussion reported at pages 16-20.]*

DURING the discussion on preferential trade at the Imperial Conference of 1907, Sir Joseph Ward called attention to the absence of any official commercial representatives of the United Kingdom in the Self-governing Dominions, and pointed out the need for officers to whom persons desirous of trading with manufacturers in the Mother Country could go for information. Mr. Lloyd George, then President of the Board of Trade, was able to inform the Conference a few days later that His Majesty's Government was arranging for the appointment of officers to investigate trade conditions and requirements in the Self-governing Dominions overseas. Four of these Trade Commissioners were subsequently appointed, one for Canada, one for Australia, one for New Zealand, and one for South Africa; and the purview of the Trade Commissioner in Canada was extended later so as to cover Newfoundland. The appointments made were notified by the Colonial Office to the Governments of the Dominions concerned in July, 1908.

The four Trade Commissioners are officers of the Board of Trade. They have no definite official status or rank in the Dominions in which they are situated, but are instructed to seek, on arrival, introductions to the Prime Minister and to such other Ministers as are likely to be of assistance to them in the furtherance of their duties, and to cultivate cordial relations with the heads of Government departments and with the departments themselves, in order to secure their co-operation.

Experience has shown that the creation of these posts has been of real value in promoting trade between the United Kingdom and the Dominions. The Trade Commissioners supply to the Department of Commercial Intelligence of the Board of Trade a regular flow of commercial information as to openings for British trade; maintain an active correspondence with firms in the United Kingdom who wish to extend their trade with the Dominions; and receive many applications from local importers who wish to enter into business relations with the Mother Country. They return at regular intervals to the United Kingdom in order that they may visit the principal industrial and commercial centres and meet personally firms and individuals interested in trade with the Dominions. Their work has recently been examined by the Dominions Royal Commission during their tour throughout the Empire, and in their Final Report the Commission expressed the opinion that the operations of the Commissioners have been of considerable advantage to British trade.\* The Commission have also recommended the appointment of additional Commissioners in the Self-governing Dominions, namely, three in Canada, three in Australia, and two in South Africa, making eight additional appointments in all.

The Board of Trade have also for some time past been contemplating the strengthening of the present Trade Commissioner Service in the Dominions and its extension to other parts of the Empire, and have now decided to provide for a service consisting of sixteen Trade Commissioners in the Empire—an addition of twelve to the present service.

The Board have not yet decided definitely on the allocation of the new service throughout the Empire, but they propose provisionally that four Trade Commissioners should be stationed in Canada (one of whom will also deal with trade in Newfoundland); two in Australia; one in New Zealand; two in South Africa; two in India; three in parts of the Empire not possessing responsible government; as well as one Commissioner for special duties, who would have his headquarters at the Board of Trade in London and would be available for special missions. The Trade Commissioners in Canada will probably be stationed at Montreal, Toronto, Winnipeg, and Vancouver respectively; in Australia, at Melbourne, and Sydney; in New Zealand, at Wellington; and in South Africa, at Cape Town and Johannesburg. The headquarters of the four Trade Commissioners at present are Montreal, Melbourne, Wellington, and Cape Town. His Majesty's Government are prepared to find the necessary funds for the establishment of this enlarged service, and it is hoped that a beginning may be made with it before the end of the War.



The present Trade Commissioners are not specifically charged with the duty of watching over the trade interests of parts of the Empire other than the United Kingdom, though they are authorized to reply to inquiries from firms in other Dominions and British Possessions. His Majesty's Government would be glad to discuss with the Governments of any of the Dominions who may desire to use the service the best means by which a system of further co-operation can be instituted, with a view to making the extended service of Trade Commissioners as useful as possible to the Empire as a whole.

Board of Trade,  
March, 1917.

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## II.

### Minute by the Prince of Wales.

[See discussion reported at pages 23-38 and 86-93.]

#### THE PRIME MINISTER,

I HAVE the honour to enclose a memorandum by the Director of Graves Registration and Inquiries with regard to the future development of the Prince of Wales's Committee for the care of Soldiers' Graves. The original intention was that, after the War, this Committee should take over the work of the Directorate. It is, however, pointed out in this memorandum that not only does the Committee now require reconstruction, but that there would be considerable advantage in establishing it on an official basis so that it might forthwith, and within the necessary military restrictions, begin to assume the functions of the Directorate; by this means the danger of a break of continuity in the work on the cessation of hostilities might be avoided.

I understand that it was felt by the Army Council, when proposing the creation of this Committee, that the intimate nature of the work to be undertaken made it desirable to appoint an organization *ad hoc* rather than to entrust this work to one of the existing Government Offices, and that the experience of the Directorate confirms this view.

But the accession to this Committee of the representatives of the Dominion Governments, of the Colonies, and of the Government of India, points to a development of its official status as originally conceived.

The development which seems most suitable to this Committee is that it should now be converted either into a Joint Committee of the Governments of the Empire, or into a statutory body of Commissioners somewhat on the lines of the Development Commission. Particulars as to the secretariat suggested are to be found in the annexed memorandum from the Director.

It is thought that, while there is no Imperial office in existence to which such an Imperial Commission or Committee could be properly attached, it would probably be necessary for the sums voted for its use to be shown in the vote of one of the Government offices of the various Parliaments of the Empire. In the case of the United Kingdom, the Treasury or the War Office would be equally suitable for this purpose. But the fact that the War Office has been responsible for the work during the War, and that this work is essentially of a military character, would indicate certain advantages in linking up the Commission with the War Office.

It is therefore suggested that the committee or body of Commissioners should be constituted as follows:—The members should not be more than fourteen in number, and should include the Secretary of State for War, the Secretary of State for the Colonies, the Secretary of State for India, the First Commissioner of Works, or their duly accredited representatives, the High Commissioners of the Self-governing Dominions, the present Director of Graves Registration and Inquiries, and the two Officers Commanding the Graves Registration Units in France and in the East respectively. It is further suggested that the Secretary of State for War should be *ex officio* Chairman of the Committee or Commissioners, and that a Vice-Chairman should be appointed who possesses experience of the military and international aspects of the work of the Directorate during the War.



It is suggested that, if this proposal is approved by the Prime Minister, the opportunity now offered by the meeting of the Imperial War Conference in London should be utilized for obtaining a decision on the question by the other Governments of the Empire.

The decision which is asked of the Imperial Conference is as to whether the Governments of which it is composed will approve of the creation either of (a) an Imperial Joint Committee or (b) of a statutory body of Commissioners (with power to appoint advisory committees), of which the Secretary of State for War (Chairman), the Secretary of State for the Colonies, the Secretary of State for India, the First Commissioner of Works, or their duly accredited representatives, and the High Commissioners of the Self-governing Dominions, should be *ex officio* members, together with, say, six other nominees appointed by the King by Royal Warrant, of which the Prince of Wales should be President, and which should be empowered to maintain, through a secretarial staff, all military graves connected with the great War, out of such moneys as may be voted for the purpose by the Governments of the Empire or may be raised by public subscription.

I should like to add that, whatever the decision of the Imperial Conference may be, I hope that every effort may be made to continue without a break the work that has been done during the War. I am glad to have had the opportunity at the front of taking a personal interest in this work.

In looking forward to the time when peace may be restored, the thoughts of all turn instinctively to the honoured dead who rest in many lands across the seas and to whose memory the Empire owes a duty which must never be forgotten. Future generations will judge us by the effort we made to fulfil that duty, and I hope that in undertaking it it will be possible to enlist the representatives of all those who came forward to help the Empire in the hour of need.

I know it will be the special wish of all that those sacred portions of her land which France has generously reserved in perpetuity as the last resting place of so many of our soldiers should be cared for by us in a manner worthy of the honour and dignity of two great nations.

EDWARD P.,

President,

Prince of Wales's Committee for the  
care of Soldiers' Graves.

Winchester House,  
St. James's Square,  
London, S.W.

15th March, 1917.

#### MEMORANDUM BY THE DIRECTOR OF GRAVES REGISTRATION AND INQUIRIES.

THE work of the Directorate of Graves Registration and Inquiries and of the Graves Registration Units in the different theatres of war has greatly expanded since the formation of this new branch of the Army early in 1915 under Lieutenant-General Sir C. F. N. Macready, then Adjutant-General to the British Forces in France. There has been an increase in the original branches of the work, the number of graves now registered amounting in France and Belgium alone to more than 150,000, and the Directorate being responsible for graves in Egypt, the Balkans, and Mesopotamia, and for recording those in the United Kingdom; the department, which, with the co-operation and advice of the Director of the Royal Botanic Gardens, Kew, undertakes the planting and laying out of the scattered burial grounds, has also been considerably extended, and the International and Imperial aspects of the work have added an altogether new importance to its activities.

1. On the International side, the French Government has, in consultation with the Directorate, passed a law under which the French nation undertakes the whole cost of the provision, in perpetuity, of land for the graves of Allied soldiers in French territory. The administration of this law, so far as British graves are concerned, is carried out under the French Ministry of War by a Commission composed of representatives of the Directorate and the French Army. This Commission has already completed all the arrangements preliminary to acquisition in the case of sixty of the British burial grounds in France, the total number of which is now over four hundred. The Directorate has also conducted negotiations with the Belgian Government with regard to the provision of land in Belgian territory, and there is now every reason to hope, though there has been considerable delay on the



part of other British Government departments in accepting the Belgian proposals, that these negotiations will result in an agreement embodying conditions similar to those granted by the French Government.

2. On the Imperial side, the increase in the Dominion forces on the various fronts, and the corresponding casualties, have led the Dominion Governments and military authorities, just as those of India in the earlier days of the War, to take a direct interest in the work of the Directorate. They now look to it as the organization responsible for the registration and care of the graves of Dominion soldiers. All branches of the Directorate have consequently been developed to meet the special requirements of the Dominions and India. The centralization which has thus resulted meets the necessity of having one central authority through which all negotiations with the French and Belgian Governments may be conducted.

3. If arrangements can now be made to ensure that the cessation of hostilities does not cause any break in the continuity of this work, the Empire will be spared the reflections which weighed on the conscience of the British nation when, nearly twenty years after the conclusion of the Crimean War, it became known that the last resting places of those who had fallen in that war had, except in individual instances, remained uncared for and neglected. With such examples as this as a warning, the Army towards the end of 1915 proposed to the Government the appointment of a National Committee for the Care of Soldiers' Graves, which should take over the work of the Directorate after the War. It was felt that the nation would expect that the Government should undertake the care of the last resting places of those who had fallen, but at the same time that relatives would consider that work of so intimate a nature should be entrusted to a specially appointed body rather than to any existing Government Department. The unprecedented extent of our losses also justified a new departure. As a result a Committee was appointed by the Prime Minister in January, 1916, and His Royal Highness the Prince of Wales was graciously pleased to accept the presidency.

But if the Committee is to be ready to take over the work of the Directorate on the conclusion of hostilities, and also for reasons shown below to assume some of its functions immediately, its organization must now be brought into line with the expansion and development of the work of the Directorate. The fact that the Governments of the Dominions have now appointed the High Commissioners to represent them on the Committee, and that the Government of India has in the same way appointed a representative, would alone render such reorganization desirable.

4. The Committee, as originally constituted to care for the graves of British soldiers in France, was recognized as the authority through which these graves would after the War be maintained in perpetuity at the cost of the British Government (*see* paragraphs 1 and 3 in Foreign Office letter, Appendix I.). Beyond this the official status of the Committee has not been determined. It is clear that if it is to administer funds to which the Governments of the Dominions and India, as well as that of the United Kingdom will contribute, it cannot well be made dependent on any department of the Government of the Mother Country alone; on the other hand there is no department responsible to the Governments of all the different States of the Empire to which it could be attached.

There would appear to be two courses by which a satisfactory solution of the problem thus arising might be reached. The first would be to submit the question to the forthcoming Imperial Conference with a view to the Governments represented therein undertaking to maintain a joint committee, financed partly by contributions from those Governments and partly by voluntary subscriptions, and reporting to the Imperial Conference whenever it met. The second would be to create a permanent statutory organization somewhat after the model of the Development Commission. If this second course were adopted, an Act of the Imperial Parliament would probably be necessary to establish a Fund and to authorize gifts to that Fund. Similar Acts might have to be passed by the Dominion Parliaments. Commissioners would then be appointed by Royal Warrant.

In either case the members of the Joint Committee or the Commissioners would be unpaid. A paid secretary would be required and, at first, three assistant secretaries, with the necessary staff. It might also be desirable to appoint a paid chairman or vice-chairman.

As this Commission or Committee would be the development and continuation of a branch of the War Office, the Secretary of State for War would seem to be the right person to answer for it in Parliament so far as the United Kingdom is concerned. In that case the sums voted by Parliament, or grants in aid, would be



shown in the Vote of the War Office. This link with the War Office is desirable. For while it would not interfere with the right of the Secretary of the Commission to direct access to all Government Departments, it would properly mark the military character of the work and the responsibility of the War Office for what had been done during the War, and it would further permanently associate with the War Office a department on which it could call in the case of any future war. The Dominion Governments would also have to appoint a Minister to answer for the work of the Committee or Commission in their Parliaments. I am not in a position to suggest the appropriate Minister in these cases.

The staff required at the outset by the secretary to complete the work of registration and to organize the burial grounds would be gradually reduced, until it was only of such dimensions as were required to supervise the maintenance of the cemeteries and to administer such funds as were necessary for the ceremonial visits which would be paid periodically to the cemeteries abroad and by which the memory of the dead would be honoured and the common sacrifice of the Allies recalled. The services of one of the assistant secretaries, who would be in charge of the department dealing with the completion of registration, identification and records, might be dispensed with when that part of the work was terminated.

5. Though the Committee has been hitherto for the most part dormant, it has held several meetings, at which all questions affecting its future control of the work have been submitted to it by the Directorate for decision. But the time has come when the process of merging the Directorate into a Committee, reconstructed as suggested, might with advantage begin.

Not only are there certain portions of the work which have reached a stage at which they no longer fall necessarily under exclusively military control, and for which the office of the Directorate might now become responsible to the Imperial Commission, but certain functions, such as the study and preparation of a scheme for permanent memorials and the collection of funds for their erection, or at any rate the elaboration of future financial policy, should be exercised by the Commission without delay. The question of permanent memorials, whether of a collective or individual character, the erection of which is at present forbidden owing to military necessities, is so greatly agitating the public mind that there should be no more delay than is inevitable in satisfying public feeling on the question. Isolated appeals for funds in this connexion from private individuals or independent committees have already begun to appear in the newspapers.

If the Government of the United Kingdom, of the Dominions and of India are of opinion that the moral contingencies involved in the inadequate treatment of the graves of those who have fallen demand at least as much attention as the material results of the War, they will undoubtedly consider that the matter ought to be discussed at the Imperial Conference which is about to meet, and a decision in regard to it arrived at.

FABIAN WARE,  
Brigadier-General,  
Director of Graves Registration and Inquiries.

War Office,  
7th March, 1917.

## APPENDIX I.

(110204/217/K.)

My Lord,

Foreign Office,  
15th June, 1916.

In my despatch No. 14, Consular, of the 26th of January, concerning the measures to be taken for the care and preservation of the graves of British officers and men who have fallen in France during the present War, I requested Your Excellency to inform the French Government that a British National Committee had been appointed to act as an Association within the meaning of the French law of the 29th of December, 1915, and to take charge of the British graves.

The Government of the Republic have been good enough to nominate three French officers to serve on that Committee, and the names of these officers were duly reported in your despatches Nos. 35 and 42 of the 17th and 31st of March.

I have now received from the Army Council a letter in which they ask that the following communication may be made to the French Ministry of War:—

1. "The Prince of Wales' National Committee for the Care of the Graves of British Soldiers" is the "Association régulièrement constituée" in this country referred to in Clause 6 of the French law of 29th December, 1915. On the cessation of hostilities all requests relating to these graves addressed to the French authorities by individuals or societies in this country, will be dealt with by this Committee when referred to it by the French Ministry of War.



2. During the continuance of hostilities the Director of Graves Registration and Inquiries, General Headquarters, British Expeditionary Force, as representative of the Adjutant-General, is the sole intermediary between the British Army in the field and the French Military and Civil Authorities in all matters connected with the French law of 29th December, 1915, and all such requests as are mentioned in the preceding paragraph should during the War be referred to him.

3. The British Government will, after the War, through the Prince of Wales' National Committee, undertake the maintenance in perpetuity of the cemeteries and graves of British soldiers in France under the provisions of Clause 6 of the French law of 29th December, 1915.

4. The Army Council finds it difficult to express in adequate terms its appreciation of the noble and generous impulse which led the French nation to provide, at its own cost, permanent resting places for the British soldiers who have fallen on French soil. The British Army and nation have been deeply touched by the eloquent references to these soldiers made in both the French Chambers during the debates on the law, and by the statement that France desires "to treat as her own children those who cannot be buried in their native land."

I shall be glad if Your Excellency will address a Note to Monsieur Briand in accordance with the request of the Army Council, and I should wish you at the same time to express on behalf of His Majesty's Government their deep sense of gratitude for the generous feelings by which the Government of the Republic have been prompted, and for the anxiety which they have shown to treat with every respect the remains of those who have perished fighting as Allies on the soil of France.

I am, &c.,

A. LAW.

For the Secretary of State.

His Excellency the Lord Bertie, P.C., G.C.B., G.C.M.G.

## APPENDIX II.

(14722/16.)

SIR,

Treasury Chambers, 3rd June, 1916.

IN reply to Mr. Cubitt's letter of the 1st instant (45/1/2, D.G.R. & I.), I am directed by the Lords Commissioners of His Majesty's Treasury to request you to express to the Army Council their lordships' concurrence in the setting up of the Prince of Wales's National Committee for the care of graves in France and Belgium as the "Association régulièrement constituée" for the purpose of Clause 6 of the French law of the 29th December, 1915. My lords agree to the cost of upkeep of the graves in France after the War being accepted as a charge on civil votes; and they note that the French Government will provide the land required for the cemeteries free of charge.

I am, &c.,

T. L. HEATH.

The Secretary,  
War Office.



## Draft Charter.

## Imperial War Graves Commission.

(Original draft and first revise.\*)

[See discussion reported at pages 23-38 and 86-93.]

GEORGE THE FIFTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India;

To all to whom these presents shall come greeting :

Whereas it has been represented to Us by Our most dearly beloved son, Edward, Prince of Wales, Knight of the Most Noble Order of the Garter, that the establishment and organization of a permanent Imperial Body charged with the duty of caring for the graves of officers and men of Our military and naval forces raised in all parts of Our Empire who have fallen, or may fall, in the present War, and have been, or may be, buried either in foreign countries or in Our dominions, would, by honouring and perpetuating the memory of their common sacrifice, tend *to keep alive the ideals for the maintenance and defence of which they have laid down their lives*, to strengthen the bonds of union between all classes and races in Our dominions, and to promote a feeling of common citizenship and of loyalty and devotion to Us and to the Empire of which they are subjects :

And whereas the Government of the French Republic has made generous provision by law for the grant in perpetuity of land for the graves of all officers and men buried in France belonging to the forces of all foreign States fighting in alliance with the forces of the said Republic, and negotiations are now proceeding, or will hereafter be instituted, on Our behalf with the Governments of other foreign States for similar grants of land for the graves of officers and men of Our said forces who have been, or may be, buried ~~in the territory of such States :~~ *Belgium, in the Gallipoli Peninsula, in Mesopotamia, in parts of Africa not within Our dominions, or in any other foreign territory :*

And whereas the objects intended to be promoted by this Our charter have hitherto formed the care of Our Army Council and of a Committee appointed by the Lords Commissioners of Our Treasury, of which Our said dearly beloved son, the Prince of Wales, is the President :

And whereas application has been made to Us by Our said dearly beloved son, the Prince of Wales, to incorporate himself and the persons from time to time holding the several offices hereinafter named, and all other persons who may become members of the said Body as hereinafter provided :

NOW KNOW YE THAT WE, being desirous of promoting the establishment and organization of the said Body, have by Our royal prerogative and of Our especial grace, certain knowledge, and mere motion given and granted, and by this Our charter for Us, Our heirs and successors do hereby give and grant that—

Our said most dearly beloved son, Edward, Prince of Wales, Knight of the Most Noble Order of the Garter :

\* NOTE.—The original text, as circulated to members of the Imperial War Conference, is given in ordinary (roman) type, and the alterations agreed to at the meeting of the Conference on 13th April are shown in italic and obliterated type.



The persons for the time being holding the offices of—

Our Principal Secretary of State for War;  
Our Principal Secretary of State for the Colonies;  
Our Principal Secretary of State for India; *and*  
First Commissioner of Our Office of Works and Public Buildings;

*Such five persons as may from time to time be respectively appointed for that purpose by—*

*The Government of the Dominion of Canada;*

*The Government of the Commonwealth of Australia;*

*The Government of the Dominion of New Zealand;*

*The Government of the Union of South Africa;*

*and*

*The Government of Newfoundland.*

~~High Commissioner for the Dominion of Canada;~~

~~High Commissioner for the Commonwealth of Australia;~~

~~High Commissioner for the Dominion of New Zealand;~~

~~High Commissioner for the Union of South Africa;~~

~~Such person as may from time to time be appointed for that purpose by the Government of Newfoundland;~~

And all other persons who may, pursuant to this Our charter, become members of the Corporation established by this Our charter shall be a Body Corporate by the name of "The Imperial War Graves Commission," with perpetual succession and a common seal, with power to break, alter, or renew the same at discretion, and with capacity to sue or be sued in their corporate name, and with the further authorities, powers, and privileges conferred and subject to the conditions imposed by this Our charter.

And We do hereby accordingly will, ordain, give, grant, constitute, appoint, and declare as follows:—

#### I.—PRELIMINARY.

In the construction of this Our charter the following words and expressions, unless there is something in the context inconsistent with such interpretation, shall have meanings hereinafter attached to them; that is to say,

"The Commission" means the Corporation of the Imperial War Graves Commission established by this Our charter.

"Fallen" means died from wounds inflicted, accident occurring, or disease contracted, while on active service, whether on sea or land.

"Person" includes a body of persons corporate or unincorporate.

Words in the masculine gender include the feminine, and words in the singular number include the plural, and in the plural number include the singular.

#### II.—THE PRESIDENT.

1. The first President shall be Our dearly beloved son, Edward, Prince of Wales. *In the event of a vacancy in the office of President, from whatever cause arising, such vacancy shall be filled* ~~On the resignation or death of the President the vacancy shall be filled up~~ by the nomination of a successor under the Sign Manual of the Sovereign for the time being.



2. The President shall preside at all meetings of the Commission and of any Committee constituted in pursuance of the provisions of this Our charter at which he may be present.

3. The President shall have power to summon meetings of the Commission at any time he may think fit so to do, in order to submit to the members thereof such matters of importance relating to the affairs of the Commission as he may deem requisite. Such meetings shall be summoned in such manner and by giving such notices as the President may think best calculated to advise the members of the Commission of the time and place of such meetings.

### III.—THE MEMBERS OF THE COMMISSION.

The Members of the Commission shall consist of the following persons:—

1. The President.

2. The persons for the time being holding the offices hereinbefore mentioned and such ~~persons~~ ~~person~~ as may be appointed by the Governments of Canada, Australia, New Zealand, South Africa, and ~~Government~~ of Newfoundland, as hereinbefore provided in this Our charter. all of whom shall be styled and are hereinafter referred to as *Official ex officio* Members.

3. Such other persons, not exceeding the number of six in all, as may from time to time be appointed Members of the Commission by Royal Warrant under the Sign Manual of the Sovereign for the time being.

### IV.—ORGANIZATION.

1. (1) There shall be a Chairman of the Commission who, in the absence of the President, shall preside at all meetings thereof.

(2) The Chairman shall, subject to the power hereinbefore conferred upon the President, and subject to such regulations as may be made by the Commission as hereinafter provided, summon all meetings of the Commission for the despatch of business.

(3) The Chairman of the Commission shall be Our Principal Secretary of State for War.

2. (1) There shall be a Vice-Chairman of the Commission who, in the absence or illness or other incapacity of the Chairman, shall have and exercise the powers and authorities of the Chairman.

(2) The Vice-Chairman of the Commission shall be appointed by the Commission.

3. (1) There shall be a Secretary to the Commission, and as many Assistant Secretaries, not exceeding three, as may be necessary for the administration of the affairs of the Commission.

(2) The Secretary ~~shall be appointed and Assistant Secretaries shall be appointed by the President.~~

~~The Assistant Secretaries shall be appointed~~

(3) The Secretary and Assistant Secretaries shall not be members of the Commission, but the Secretary, or, in the event of his absence, illness, or other incapacity, one of the Assistant Secretaries, shall attend every meeting of the Commission and assist the Commission in the transaction of its business thereat.

4. The Commission shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice place, management, and adjournment of such meetings



and generally with respect to the transaction and management of business, as they think fit, subject to the following conditions :—

- (a) The first meeting of the Commission shall be held on such day after the date of this Our charter, and at such place, as may be determined by the President, and, subject to the provisions of this Our charter, the proceedings at any such first meeting of the Commission shall be conducted in such manner as may be directed by the President.
- (b) The quorum of the Commission shall consist of five members, or such other number as the President, with the concurrence of the Commission, may declare.
- (c) Every question shall be decided by a majority of votes of the members present and voting on that question.
- (d) The names of the members present at a meeting shall be recorded, and, upon a requisition made by three or more members voting on a question, the names of the members voting on that question shall be recorded.

5. (1) If at any meeting neither the President nor the Chairman nor the Vice-Chairman is present at the time appointed for holding the same, the members present shall choose some one of their number to preside at such meeting.

(2) In case of an equality of votes at any meeting the person presiding at such meeting shall have a second or casting vote.

(3) If any *Official ex-officio* Member is unable to be present at any meeting he may appoint some fit person to represent him at such meeting, and such representative shall be entitled to exercise all the powers and privileges of such member save that he shall not be entitled or chosen to preside at such meeting.

6. The Commission may from time to time delegate all or any of its powers to Committees, consisting of such number of its members as the Commission may think fit, and may appoint the quorum for any such Committee. Such Committees shall have power to make or adopt such rules for the guidance and regulation of the affairs of the Commission specially delegated to them, and as to the holding of their meetings and the conduct of their business thereat, as they may from time to time see fit, subject to the control of the Commission.

7. (1) The Commission may from time to time appoint Advisory Committees, consisting of such persons as the Commission may think fit, to advise the Commission, either permanently or temporarily, on any special subject.

(2) The members of such Advisory Committees shall hold their offices during the pleasure of the Commission. Such Advisory Committees shall have power to make or adopt such regulations as to the holding of their meetings and the conduct of their business thereat as they may from time to time see fit, but shall obey any directions given them by the Commission as to the exercise of their powers with regard to the subject referred to them.



8. The Commission may from time to time constitute and maintain Agencies in Our Dominions beyond the Seas and in Our Protectorates and in foreign States charged with the duty of aiding the Commission to carry locally into effect any of the purposes of the Commission, and may delegate to any such Agency such of the powers, authorities, and privileges conferred on the Commission by this Our charter as may be specified in the instrument constituting such Agency.

#### V.—PURPOSES AND POWERS OF THE COMMISSION.

1. The purposes of the Commission are the following:—

(1) To acquire and hold land for the purpose of cemeteries in any territory in which any officers or men of Our military or naval forces raised in any part of Our Empire who shall have fallen in the present War may be buried.

(2) To make fit provision for the burial of officers and men of Our said forces and the care of all graves in such cemeteries, to erect buildings and permanent memorials therein, and generally to provide for the maintenance and upkeep of such cemeteries, buildings, and memorials.

(3) To complete and maintain records and registers of all graves within such cemeteries.

(4) To make fit provision for the care of all graves of officers or men in Our said forces who shall have fallen in the present War and may be buried elsewhere than in such cemeteries as aforesaid.

2. The Commission is hereby authorized and empowered for the purposes aforesaid from time to time—

(1) To acquire by gift, purchase, or otherwise, and hold and dispose of personal or movable property of every kind in the United Kingdom or elsewhere.

(2) To acquire by gift, purchase, or otherwise, and to hold (without licence in mortmain or other authority than this Our charter) lands in the United Kingdom, not exceeding            acres for the purpose of any one cemetery, or            acres for the purposes of such offices as may be required by the Commission, and to acquire by the like means and to hold (subject to any local law for the time being in force) lands in any of Our Dominions beyond the Seas, and in any of Our Protectorates, and in any foreign State, for the purposes of such cemeteries or offices as aforesaid.

(3) To provide for the burial in any such cemetery of any such officers or men of Our forces as aforesaid, and to exercise such powers of exhumation and reinterment as may appear to the Commission to be desirable, and as may be approved by the duly constituted local authority in the territory or territories concerned.

(4) To erect and maintain buildings and permanent memorials on or in any such cemetery, to plant trees, shrubs, and flowers therein, to make and maintain all necessary fences, ways, and paths, and to do all such other things as may be necessary for the general maintenance and upkeep of such cemetery.

(5) To permit or to prohibit the erection by any person other than the Commission of permanent memorials in any such cemetery, or in any part of such cemetery, and, where such memorials are permitted, to receive and deal with applications by any persons to



erect any such memorial, and to reject any application if the proposed memorial appears to the Commission (whose decision shall be final) to be unsuitable.

(6) To provide for the registration of all graves in such cemeteries, and for the method of keeping all registers or branch registers used for this purpose, and for their inspection by the public, and their safe custody.

(7) To make by-laws, as hereinafter provided, with regard to any such cemetery, subject in every case to the local law of the territory in which such cemetery is situated.

(8) To provide for the care of graves of any officers and men of Our said forces who may be buried elsewhere than in such cemeteries as aforesaid, for the placing of memorials on such graves, for their registration, and for the doing of all such other things as the Commission may think proper with regard to such graves, subject in every case to the local law of the territory in which any such grave may be situated.

(9) To establish and maintain such offices as may be necessary for the work of the Commission, whether in the United Kingdom or elsewhere, to build or take by gift, lease, purchase, or otherwise suitable buildings for such purposes, and to dispose from time to time of any land and buildings used for such offices when not required for such purposes.

(10) To appoint and employ such officers and servants as may be necessary to carry out the work of the Commission, whether in such offices or in such cemeteries as aforesaid, and whether in the United Kingdom or elsewhere.

(11) To enter into any contract, whether within the United Kingdom or elsewhere, with any of Our subjects, or with the subjects or citizens of any foreign State, with a view to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

(12) To act as the "Association Régulièrement Constituée" for the purpose of the French law of the 29th day of December, 1915, and to have similar authority in relation to any law or agreement of a like nature passed by or made with the Government of any other foreign State, and generally for the purposes of this Our charter to enter into such relations with the Government of any foreign State, or any Body authorized by such Government, as may be approved by Our Principal Secretary of State for Foreign Affairs.

(13) To enter into such arrangements with the Government of any part of Our Dominions beyond the Seas, or of any of Our Protectorates, as may be desirable with a view to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

(14) To do anything not expressly hereinbefore provided for which may be incidental or conducive to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

3. The Commission is hereby specially authorized and empowered from time to time to make by-laws (subject as aforesaid) with regard to the following matters:—

(1) The protection of public health and the maintenance of public decency and order in the cemeteries held for the purposes of the Commission.



(2) The hours for opening and closing such cemeteries and the admission of the public thereto.

(3) The conditions upon which any private memorials, permanent or temporary, may be placed upon graves in such cemeteries.

(4) The duties and conduct of all officers and servants of the Commission in relation to such cemeteries.

(5) The entry of records in all registers kept at such cemeteries, the inspection thereof by the public, and the safe custody of such registers.

(6) Generally, all such matters as appertain to the work of the Commission in connexion with the maintenance and upkeep of all cemeteries held for the purposes of the Commission.

## VI.—FINANCIAL.

1. The Commission is hereby authorized and empowered—

(1) To receive all funds which may be granted annually or otherwise by the Legislature of any part of Our Dominions or any of Our Protectorates in furtherance of the purposes of this Our Charter.

~~(2) To appeal for and receive public subscriptions and donations in furtherance of the purposes of this our charter.~~

~~(2) (3)~~ To administer all funds which may be given, bequeathed, or granted as aforesaid, ~~or received from~~ and to receive and administer all other funds which may be given or bequeathed in furtherance of the said purposes or derived from any other source not hereinbefore mentioned, with power, subject to any such conditions as may be attached to any such grant, gift, or bequest, as aforesaid, to treat all such funds either as capital or income at its discretion.

(3) ~~(4)~~ To establish an Endowment Fund, consisting of such part of its funds as shall from time to time be treated as capital.

(4) ~~(5)~~ To receive the income for the time being produced by the Endowment Fund, and to apply such income and all other the income of the Commission in carrying into effect the purposes of this Our charter.

2. (1) The Endowment Fund established as aforesaid shall be vested in three Trustees, who shall be appointed, with the approval of the President, by the Commission under their common seal, and any vacancy in their number occasioned by death, resignation, or incapacity shall be filled in the like manner.

(2) The Trustees may invest, and change the investments of, any moneys for the time being constituting the capital of the Endowment Fund in such manner, and in and for such securities of such a description as the trustees think expedient.

## VII.—GENERAL.

1. The Commission may at any time, and from time to time, with the concurrence of the President, apply for and accept a Supplemental Charter, or an Act of Parliament, if it appears to it that such Supplemental Charter or Act of Parliament is required for carrying into effect any of the purposes or powers of this Our charter.



2. No act or proceeding of the Commission, or of a Committee established by the Commission, shall be questioned on account of any vacancy or vacancies in the Commission or any such Committee.

3. No defect in the qualification or appointment of any person acting as a member of the Commission or of a Committee established by the Commission shall be deemed to vitiate any proceedings of the Commission or of such Committee in which he has taken part, in cases where the majority of members parties to such proceedings are duly entitled to act.

4. (1) Any instrument which, if made by a private person, would be required to be under seal, shall be under the seal of the Commission and signed by the proper officer of the Commission. Any notice issued by or on behalf of the Commission shall be deemed to be duly executed if signed by the proper officer; but, subject as aforesaid, any appointment made by the Commission, and any contract, order, or other document made by or proceeding from the Commission shall be deemed to be duly executed either if sealed with the seal of the Commission and signed by the proper officer, or if signed by two or more members of the Commission authorized to sign them by a resolution of the Commission and countersigned by the proper officer.

(2) The proper officer of the Commission shall be any officer authorized by the Commission to sign such notices and documents as he is required to sign as aforesaid.

#### VIII.—ANNUAL REPORT AND STATEMENT OF ACCOUNTS.

1. The accounts of the Commission shall be audited annually by an auditor or auditors, who shall be chartered accountants, and who shall be named by the Governor of the Bank of England for the time being.

2. The Commission shall, once in every year at least, prepare a General Report of their proceedings for the year preceding, and attach thereto a duly certified Statement of Accounts and of the finances of the Commission.

3. *The President shall, on the completion of every such annual General Report and Statement of Accounts forthwith submit the same to Us, and it shall be the duty of the Secretary to transmit copies thereof for the information of the Governments of such parts of Our dominions as are represented on the Commission or have made grants as aforesaid in furtherance of the purposes of this Our charter. Every member of the Commission shall, on application, be entitled to receive a copy of such Report and Statement.*

In witness whereof We have caused these Our Letters to be made patent. Witness Ourselves, at Westminster, the                      day of                      in the seventh year of Our reign.



## IV.

## Draft Charter.

## Imperial War Graves Commission.

(Second revise.\*)

*[See discussion reported at pages 86-93.]*

GEORGE THE FIFTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India;

To all to whom these presents shall come greeting :

Whereas it has been represented to Us by Our most dearly beloved son, Edward, Prince of Wales, Knight of the Most Noble Order of the Garter, that the establishment and organization of a permanent Imperial Body charged with the duty of caring for the graves of officers and men of Our military and naval forces raised in all parts of Our Empire who have fallen, or may fall, in the present War, and have been, or may be, buried either in foreign countries or in Our dominions, would, by honouring and perpetuating the memory of their common sacrifice, tend to keep alive the ideals for the maintenance and defence of which they have laid down their lives, to strengthen the bonds of union between all classes and races in Our dominions, and to promote a feeling of common citizenship and of loyalty and devotion to Us and to the Empire of which they are subjects :

And whereas the Government of the French Republic has made generous provision by law for the grant in perpetuity of land for the graves of all officers and men buried in France belonging to the forces of all foreign States fighting in alliance with the forces of the said Republic, and negotiations are now proceeding, or will hereafter be instituted, on Our behalf with the Governments of other foreign States for similar grants of land for the graves of officers and men of Our said forces who have been, or may be, buried in Belgium, in the Gallipoli Peninsula, in Mesopotamia, in parts of Africa not within Our dominions, or in any other foreign territory :

And whereas the objects intended to be promoted by this Our charter have hitherto formed the care of Our Army Council and of a Committee appointed by the Lords Commissioners of Our Treasury, of which Our said dearly beloved son, the Prince of Wales, is the President :

And whereas application has been made to us by Our said dearly beloved son, the Prince of Wales, to incorporate himself and the persons from time to time holding the several offices hereinafter named, and all other persons who may become members of the said Body as hereinafter provided :

NOW KNOW YE THAT WE, being desirous of promoting the establishment and organization of the said Body, have by Our royal prerogative and of Our especial grace, certain knowledge, and mere motion given and granted, and by this Our charter for Us, Our heirs and successors do hereby give and grant that—

Our said most dearly beloved son, Edward, Prince of Wales, Knight of the Most Noble Order of the Garter :

The persons for the time being holding the offices of—

Our Principal Secretary of State for War;

Our Principal Secretary of State for the Colonies;

Our Principal Secretary of State for India; and

First Commissioner of Our Office of Works and Public Buildings;

Such five persons as may from time to time be respectively appointed for that purpose by—

The Government of the Dominion of Canada;

The Government of the Commonwealth of Australia;

The Government of the Dominion of New Zealand;

The Government of the Union of South Africa; and

The Government of Newfoundland.

And all other persons who may, pursuant to this Our charter, become members of the Corporation established by this Our charter shall be a Body Corporate by the name of "The Imperial War Graves Commission," with perpetual succession and a common seal, with power to break, alter, or renew the same at discretion,

\* NOTE.—This document is the draft charter as finally revised in accordance with the wishes expressed by the Imperial War Conference at its meeting on 23rd April.



and with capacity to sue or be sued in their corporate name, and with the further authorities, powers, and privileges conferred and subject to the conditions imposed by this Our charter.

And We do hereby accordingly will, ordain, give, grant, constitute, appoint, and declare as follows:—

#### I.—PRELIMINARY.

In the construction of this Our charter the following words and expressions, unless there is something in the context inconsistent with such interpretation, shall have meanings hereinafter attached to them; that is to say,

“The Commission” means the Corporation of the Imperial War Graves Commission established by this Our charter.

“Fallen” means died from wounds inflicted, accident occurring, or disease contracted, while on active service, whether on sea or land.

“Person” includes a body of persons corporate or unincorporate.

Words in the masculine gender include the feminine, and words in the singular number include the plural, and in the plural number include the singular.

#### II.—THE PRESIDENT.

1. The first President shall be Our dearly beloved son, Edward, Prince of Wales. In the event of a vacancy in the office of President, from whatever cause arising, such vacancy shall be filled by the nomination of a successor under the Sign Manual of the Sovereign for the time being.

2. The President shall preside at all meetings of the Commission and of any Committee constituted in pursuance of the provisions of this Our charter at which he may be present.

3. The President shall have power to summon meetings of the Commission at any time he may think fit so to do, in order to submit to the members thereof such matters of importance relating to the affairs of the Commission as he may deem requisite. Such meetings shall be summoned in such manner and by giving such notices as the President may think best calculated to advise the members of the Commission of the time and place of such meetings.

#### III.—THE MEMBERS OF THE COMMISSION.

The Members of the Commission shall consist of the following persons:—

1. The President.

2. The persons for the time being holding the offices hereinbefore mentioned and such persons as may be appointed by the Governments of Canada, Australia, New Zealand, South Africa, and Newfoundland, as hereinbefore provided in this Our charter, all of whom shall be styled and are hereinafter referred to as Official Members.

3. Such other persons, not exceeding the number of eight in all, as may from time to time be appointed Members of the Commission by Royal Warrant under the Sign Manual of the Sovereign for the time being.

#### IV.—ORGANIZATION.

1. (1) There shall be a Chairman of the Commission who, in the absence of the President, shall preside at all meetings thereof.

(2) The Chairman shall, subject to the power hereinbefore conferred upon the President, and subject to such regulations as may be made by the Commission as hereinafter provided, summon all meetings of the Commission for the despatch of business.

(3) The Chairman of the Commission shall be Our Principal Secretary of State for War.

2. (1) There shall be a Vice-Chairman of the Commission who, in the absence or illness or other incapacity of the Chairman, shall have and exercise the powers and authorities of the Chairman.

(2) The Vice-Chairman of the Commission shall be appointed by the Commission.

3. (1) There shall be a Secretary to the Commission, and as many Assistant Secretaries, not exceeding three, as may be necessary for the administration of the affairs of the Commission.



(2) The Secretary and Assistant Secretaries shall be appointed by the President.

(3) The Secretary and Assistant Secretaries shall not be members of the Commission, but the Secretary, or, in the event of his absence, illness, or other incapacity, one of the Assistant Secretaries, shall attend every meeting of the Commission and assist the Commission in the transaction of its business thereat.

4. The Commission shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice, place, management, and adjournment of such meetings and generally with respect to the transaction and management of business, as they think fit, subject to the following conditions:—

- (a) The first meeting of the Commission shall be held on such day after the date of this Our charter, and at such place, as may be determined by the President, and, subject to the provisions of this Our charter, the proceedings at any such first meeting of the Commission shall be conducted in such manner as may be directed by the President.
- (b) The quorum of the Commission shall consist of five members, or such other number as the President, with the concurrence of the Commission, may declare.
- (c) Every question shall be decided by a majority of votes of the members present and voting on that question.
- (d) The names of the members present at a meeting shall be recorded, and, upon a requisition made by three or more members voting on a question, the names of the members voting on that question shall be recorded.

5. (1) If at any meeting neither the President nor the Chairman nor the Vice-Chairman is present at the time appointed for holding the same, the members present shall choose some one of their number to preside at such meeting.

(2) In case of an equality of votes at any meeting the person presiding at such meeting shall have a second or casting vote.

(3) If any Official Member is unable to be present at any meeting he may appoint some fit person to represent him at such meeting, and such representative shall be entitled to exercise all the powers and privileges of such member save that he shall not be entitled or chosen to preside at such meeting.

6. The Commission may from time to time delegate all or any of its powers to Committees, consisting of such number of its members as the Commission may think fit, and may appoint the quorum for any such Committee. Such Committees shall have power to make or adopt such rules for the guidance and regulation of the affairs of the Commission specially delegated to them, and as to the holding of their meetings and the conduct of their business thereat, as they may from time to time see fit, subject to the control of the Commission.

7 (1) The Commission may from time to time appoint Advisory Committees, consisting of such persons as the Commission may think fit, to advise the Commission, either permanently or temporarily, on any special subject.

(2) The members of such Advisory Committees shall hold their offices during the pleasure of the Commission. Such Advisory Committees shall have power to make or adopt such regulations as to the holding of their meetings and the conduct of their business thereat as they may from time to time see fit, but shall obey any directions given them by the Commission as to the exercise of their powers with regard to the subject referred to them.

8. The Commission may from time to time constitute and maintain Agencies in Our Dominions beyond the Seas and in Our Protectorates and in foreign States charged with the duty of aiding the Commission to carry locally into effect any of the purposes of the Commission, and may delegate to any such Agency such of the powers, authorities, and privileges conferred on the Commission by this Our charter as may be specified in the instrument constituting such Agency.

#### V.—PURPOSES AND POWERS OF THE COMMISSION.

1. The purposes of the Commission are the following:—

(1) To acquire and hold land for the purpose of cemeteries in any territory in which any officers or men of Our military or naval forces raised in any part of Our Empire who shall have fallen in the present War may be buried.



(2) To make fit provision for the burial of officers and men of Our said forces and the care of all graves in such cemeteries, to erect buildings and permanent memorials therein, and generally to provide for the maintenance and upkeep of such cemeteries, buildings, and memorials.

(3) To complete and maintain records and registers of all graves within such cemeteries.

(4) To make fit provision for the care of all graves of officers or men of Our said forces who shall have fallen in the present War and may be buried elsewhere than in such cemeteries as aforesaid.

(5) To acquire and hold land for the purpose of providing or erecting permanent memorials elsewhere than in such cemeteries as aforesaid in honour of any officers or men of Our said forces who shall have fallen in the present War.

2. The Commission is hereby authorized and empowered for the purposes aforesaid from time to time—

(1) To acquire by gift, purchase, or otherwise, and hold and dispose of personal or movable property of every kind in the United Kingdom or elsewhere.

(2) To acquire by gift, purchase, or otherwise, and to hold (without licence in mortmain or other authority than this Our charter) lands in the United Kingdom, not exceeding two hundred acres for the purposes of such cemeteries as aforesaid, or five acres for the purposes of such offices as may be required by the Commission, and to acquire by the like means and to hold (subject to any local law for the time being in force) lands in any of Our Dominions beyond the Seas, and in any of Our Protectorates, and in any foreign State, for the purposes of such cemeteries or offices as aforesaid.

(3) To provide for the burial in any such cemetery of any such officers or men of Our forces as aforesaid, and to exercise such powers of exhumation and reinterment as may appear to the Commission to be desirable, and as may be approved by the duly constituted local authority in the territory or territories concerned.

(4) To erect and maintain buildings and permanent memorials on or in any such cemetery, to plant trees, shrubs, and flowers therein, to make and maintain all necessary fences, ways, and paths, and to do all such other things as may be necessary for the general maintenance and upkeep of such cemetery.

(5) To permit or to prohibit the erection by any person other than the Commission of permanent memorials in any such cemetery, or in any part of such cemetery, and, where such memorials are permitted, to receive and deal with applications by any persons to erect any such memorial, and to reject any application if the proposed memorial appears to the Commission (whose decision shall be final) to be unsuitable.

(6) To provide for the registration of all graves in such cemeteries, and for the method of keeping all registers or branch registers used for this purpose, and for their inspection by the public, and their safe custody.

(7) To make by-laws, as hereinafter provided, with regard to any such cemetery, subject in every case to the local law of the territory in which such cemetery is situated.

(8) To provide for the care of graves of any officers and men of Our said forces who may be buried elsewhere than in such cemeteries as aforesaid, for the placing of memorials on such graves, for their registration, and for the doing of all such other things as the Commission may think proper with regard to such graves, subject in every case to the local law of the territory in which any such grave may be situated.

(9) To take such steps as may be necessary under the local law of the territory concerned to enable the Commission to hold any land, other than any such cemetery as aforesaid, for the purpose of providing or erecting any permanent memorial in honour of officers or men of Our said forces who shall have fallen in the present War.

(10) To establish and maintain such offices as may be necessary for the work of the Commission, whether in the United Kingdom or elsewhere, to build or take by gift, lease, purchase, or otherwise suitable buildings for such purposes, and to dispose from time to time of any land and buildings used for such offices when not required for such purposes.

(11) To appoint and employ such officers and servants as may be necessary to carry out the work of the Commission, whether in such offices or in such cemeteries as aforesaid, and whether in the United Kingdom or elsewhere.



(12) To enter into any contract, whether within the United Kingdom or else where, with any of Our subjects, or with the subjects or citizens of any foreign State, with a view to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

(13) To act as the "Association Régulièrement Constituée" for the purpose of the French law of the 29th day of December, 1915, and to have similar authority in relation to any law or agreement of a like nature passed by or made with the Government of any other foreign State, and generally for the purposes of this Our charter to enter into such relations with the Government of any foreign State, or any Body authorized by such Government, as may be approved by Our Principal Secretary of State for Foreign Affairs.

(14) To enter into such arrangements with the Government of any part of Our Dominions beyond the Seas, or of any of Our Protectorates, as may be desirable with a view to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

(15) To do anything not expressly hereinbefore provided for which may be incidental or conducive to the carrying into effect of any of the purposes or the exercise of any of the powers of the Commission.

3. The Commission is hereby specially authorized and empowered from time to time to make by-laws (subject as aforesaid) with regard to the following matters:—

(1) The protection of public health and the maintenance of public decency and order in the cemeteries held for the purposes of the Commission.

(2) The hours for opening and closing such cemeteries and the admission of the public thereto.

(3) The conditions upon which any private memorials, permanent or temporary, may be placed upon graves in such cemeteries.

(4) The duties and conduct of all officers and servants of the Commission in relation to such cemeteries.

(5) The entry of records in all registers kept at such cemeteries, the inspection thereof by the public, and the safe custody of such registers.

(6) Generally, all such matters as appertain to the work of the Commission in connexion with the maintenance and upkeep of all cemeteries held for the purposes of the Commission.

4. In the construction of this Part of Our charter the word "cemetery" may or shall include a Hindu or other non-Christian cremation ground, and any action which may be taken in regard to a cemetery under the provisions of this Our charter may be taken in regard to such a cremation ground in so far as may be consistent with Hindu or such other religious customs as may be applicable in the case of any such cremation ground.

## VI.—FINANCIAL.

1. The Commission is hereby authorized and empowered—

(1) To receive all funds which may be granted annually or otherwise by the Legislature of any part of Our Dominions or any of Our Protectorates in furtherance of the purposes of this Our charter.

(2) To administer all funds which may be granted as aforesaid, and to receive and administer all other funds which may be given or bequeathed in furtherance of the said purposes or derived from any other source not hereinbefore mentioned, with power, subject to any such conditions as may be attached to any such grant, gift, or bequest, as aforesaid, to treat all such funds either as capital or income at its discretion.

(3) To establish an Endowment Fund, consisting of such part of its funds as shall from time to time be treated as capital.

(4) To receive the income for the time being produced by the Endowment Fund, and to apply such income and all other the income of the Commission in carrying into effect the purposes of this Our charter.

2. (1) The Endowment Fund established as aforesaid shall be vested in three Trustees, who shall be appointed, with the approval of the President, by the Commission under their common seal, and any vacancy in their number occasioned by death, resignation, or incapacity shall be filled in the like manner.

(2) The Trustees may invest, and change the investments of, any moneys for the time being constituting the capital of the Endowment Fund in such manner, and in and for such securities of such a description as the Trustees think expedient.



## VII.—GENERAL.

1. The Commission may at any time, and from time to time, with the concurrence of the President, apply for and accept a Supplemental Charter, or an Act of Parliament, if it appears to it that such Supplemental Charter or Act of Parliament is required for carrying into effect any of the purposes or powers of this Our charter.

2. No act or proceeding of the Commission, or of a Committee established by the Commission, shall be questioned on account of any vacancy or vacancies in the Commission or any such Committee.

3. No defect in the qualification or appointment of any person acting as a member of the Commission or of a Committee established by the Commission shall be deemed to vitiate any proceedings of the Commission or of such Committee in which he has taken part, in cases where the majority of members parties to such proceedings are duly entitled to act.

4. (1) Any instrument which, if made by a private person, would be required to be under seal, shall be under the seal of the Commission and signed by the proper officer of the Commission. Any notice issued by or on behalf of the Commission shall be deemed to be duly executed if signed by the proper officer; but, subject as aforesaid, any appointment made by the Commission, and any contract, order, or other document made by or proceeding from the Commission shall be deemed to be duly executed either if sealed with the seal of the Commission and signed by the proper officer, or if signed by two or more members of the Commission authorized to sign them by a resolution of the Commission and countersigned by the proper officer.

(2) The proper officer of the Commission shall be any officer authorized by the Commission to sign such notices and documents as he is required to sign as aforesaid.

## VIII.—ANNUAL REPORT AND STATEMENT OF ACCOUNTS.

1. The accounts of the Commission shall be audited annually by an auditor or auditors, who shall be chartered accountants, and who shall be named by the Governor of the Bank of England for the time being.

2. The Commission shall, once in every year at least, prepare a General Report of their proceedings for the year preceding, and attach thereto a duly certified Statement of Accounts and of the finances of the Commission.

3. The President shall, on the completion of every such annual General Report and Statement of Accounts forthwith submit the same to Us, and it shall be the duty of the Secretary to transmit copies thereof for the information of the Governments of such parts of Our Dominions as are represented on the Commission or have made grants as aforesaid in furtherance of the purposes of this Our charter.

In witness whereof We have caused these Our Letters to be made patent.

Witness Ourselves, at Westminster, the \_\_\_\_\_ day of \_\_\_\_\_ in the seventh year of Our reign.

By Warrant under the King's Sign Manual.

## V.

Despatch from His Majesty's Ambassador at Paris to the French Minister for Foreign Affairs.

[See page 40.]

MONSIEUR LE PRÉSIDENT,

British Embassy, Paris, 30th April, 1917.

By a note dated the 17th of June last I had the honour to convey to the Government of the Republic an expression of the deep gratitude of His Majesty's Government for the action of the French Government in providing at its own cost permanent resting places for British soldiers who have fallen on French soil.



Under instructions from His Majesty's Secretary of State for Foreign Affairs, I have the honour to inform Your Excellency that the Imperial War Conference, after consideration of a minute by the Prince of Wales in which His Royal Highness refers in grateful terms to the generosity shown by the French nation in this matter, has placed on record, in a resolution on the subject of the future care of soldiers' graves, its very deep appreciation of the generous action of the French Government in setting apart in perpetuity the land in France where British soldiers are buried.

I have the honour to be, with the highest consideration,

Monsieur le Président,

Your Excellency's most obedient humble servant,

BERTIE OF THAME

His Excellency

Monsieur Alexandre Ribot,

President of the Council,

Minister for Foreign Affairs.

## VI.

### Nationality and Naturalization.

*(Memorandum prepared in the Home Office.)*

*[See discussion reported on pages 63-70.]*

#### CHANGES IN THE LAW OR PRACTICE.

A DISTINCTION must be drawn between those changes which will require amendment, by legislation, of the British Nationality and Status of Aliens Act, 1914, and those which can be effected simply by an alteration of administrative practice.

#### *Legislative Changes.*

Legislative changes should, it is suggested, be made only with the assent of all members of the Empire and by legislative methods similar to those by which the Act of 1914 was carried. Separate legislation by any part of the Empire modifying the provisions of that Act is to be deprecated.

Of the various matters relating to nationality and naturalization which have from time to time been discussed in the Press or elsewhere since the outbreak of the War, the following suggested changes which would need legislation are dealt with in this memorandum:—

(A) The introduction of a power to revoke naturalization for any other reason than false representations or fraud. (See Section 7 of the Act of 1914 and Appendix I.)

(B) Certain minor amendments of the Act of 1914 which experience has shown to be necessary.— (See Appendix II.)

#### *Administrative Action.*

On the other hand, there are certain matters on which changes could be made administratively without any amendment of the existing Act. Such administrative action could, of course, be taken independently in any part of His Majesty's dominions, but, in view of the importance of some at any rate of the changes in question, it would be highly desirable that the practice of all parts of the Empire should in this respect be uniform.

The principal question involved is the refusal to grant certificates of naturalization to subjects of all or any of the Enemy Powers during some period after the termination of the War, and the measures to be taken to meet any attempt by German subjects, if and whenever it may be thought proper to grant them naturalization, to avail themselves of the provision of the Delbruck law, by which in certain cases a German acquiring a foreign nationality is permitted to retain his own. (See Appendix III.)

Home Office, Whitehall,  
March, 1917.



## APPENDIX I.

*Revocation of Naturalization.*

At the present time the only power in our law to revoke a certificate of naturalization is that conferred by Section 7 of the British Nationality and Status of Aliens Act, 1914, which provides—"Where it appears to the Secretary of State that a certificate of naturalization granted by him has been obtained by false representations or fraud, the Secretary of State may by order revoke the certificate, and the order of revocation shall have effect from such date as the Secretary of State may direct."

Before 1914 there was in our law no power to revoke a certificate once granted. In this respect our law was similar to the laws of all civilized countries, in none of which, so far as can be ascertained, was there any provision for revocation by a Government of naturalization once granted. The French are, however, passing, or have already passed, legislation providing for the revocation by judicial process of certificates of naturalization granted to persons of enemy origin who have preserved their former nationality, and they have revoked by administrative action, under a war statute, 94 certificates out of 758 granted since the 1st January, 1913, to persons formerly subjects of the Enemy Powers.

A revocation of nationality is a serious step, and should be carried into effect only for grave reasons and after inquiry and report by a committee containing some person of judicial experience, and not by merely administrative action. A draft of a Bill to amend the British Nationality and Status of Aliens Act on these lines is annexed.

Two practical difficulties in connexion with revocation should be noticed—(1) The status of the wife and minor children, if any, of a person whose certificate is revoked; and (2) the question as to the treatment to be given after revocation to the person affected.

As to (1), the draft Bill proposes that the Secretary of State should deal with each case as may be thought best in the circumstances, and he would doubtless usually act on the recommendation of the Inquiry Committee. Unless the Secretary of State orders otherwise the wife's nationality will remain unaffected, but she might have an optional power to make a declaration of alienage.

As to (2), the treatment to be given to persons whose certificates are revoked will be determined by the legislation as to aliens in force in the part of the Empire concerned, but it will be remembered that such a person does not, in all probability, retain or recover any other nationality, and the more undesirable his character the less practicable becomes his expulsion from His Majesty's dominions, inasmuch as he will not be a national of any State which is bound to receive him, and no State which has a power to reject undesirables will be open to him. The very great majority of persons of German origin naturalized here have lost their German nationality either, under the old German law, by prolonged absence from Germany or by formal discharge.

It may be added that, while it is proper and desirable to give effect to the general popular feeling that persons of enemy origin should not be allowed to retain a citizenship to which they have proved themselves disloyal, it is not to be anticipated that the number of revocations that will be necessary will be large.

It is not possible to procure accurate figures as to the number of naturalized British subjects of enemy origin who, being in Germany or elsewhere abroad at the outbreak of war, have actually adhered to the enemy, but the number of cases reported to the Home Office is twenty-five only; in fact a considerable number of such British subjects have been interned by the Germans at Ruhleben. On the other hand, of approximately 6,000\* naturalized male British subjects of German, Austrian, or Hungarian origin in the United Kingdom at the outbreak of the War, thirty-five have hitherto been interned as suspect under Article 14 B of the Defence of the Realm Regulations. The number of natural-born British subjects so interned is not greatly inferior to that of the naturalized.

Home Office,  
March, 1917.

\* This figure assumes, what is probably true, that the number remained about the same from 1911, the date of the census, to 1914



DRAFT OF A BILL TO AMEND THE BRITISH NATIONALITY AND STATUS OF ALIENS ACT,  
1914.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

1. The following subsections shall be inserted in the British Nationality and Status of Aliens Act, 1914 (in this Act called the principal Act), after Subsection (1) of Section 7 (which relates to the revocation of certificates of naturalization).

(2) A Secretary of State may also by order revoke a certificate of naturalization in any case in which he is satisfied after such inquiry as hereinafter mentioned that the person to whom the certificate was granted either

(a) Has shown himself by overt act or speech to be disloyal to His Majesty, or

(b) Has within five years of the date of the grant of his certificate of naturalization been sentenced to not less than twelve months' imprisonment or to a term of penal servitude, or

(c) Was not at the date of the grant of his certificate of naturalization of good character, or

(d) Has since the date of the grant of his certificate of naturalization been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connexion with His Majesty's dominions:

and that (in any case) the continuance of his certificate is not conducive to the public good.

(3) An inquiry under this section shall be held by a committee constituted by the Secretary of State, presided over by a person who holds, or has held, high judicial office, and shall be conducted in such manner as the Secretary of State may prescribe. The committee shall have power to administer oaths to witnesses or to take evidence by affidavit, and any party to such inquiry may sue out a writ of *subpœna ad testificandum* or a writ of *subpœna duces tecum*. Any such inquiry may relate to the revocation of a certificate of naturalization alleged to have been obtained by false representations or fraud as well as to the revocation of a certificate of naturalization under this section for any other reason.

(4) When a person to whom a certificate of naturalization has been granted in some other part of His Majesty's dominions is resident in the United Kingdom the certificate may be revoked under this section by a Secretary of State with the concurrence of the Government of that part of His Majesty's dominions in which the certificate was granted.

(5) (i) Notwithstanding anything contained in this Act, where a certificate of naturalization is revoked a Secretary of State may by order declare that the wife of the person whose certificate is revoked and any minor children of that person whose names were included in the certificate, or who have acquired British nationality pursuant to the provisions of Section 10 (5) of the Naturalization Act, 1870, shall cease to be British subjects, and such persons shall thereupon become aliens.

(ii) Save as in this section provided, the nationality of the wife and minor children of a person whose certificate is revoked shall not be affected by the revocation, and they shall remain British subjects.

Provided that it shall be lawful for any such wife within six months after the date of the order of revocation to make a declaration of alienage, and on making that declaration she and any minor children of her husband and herself, whose names were included in the certificate, or who have acquired British nationality pursuant to the provisions of Section 10 (5) of the Naturalization Act, 1870, shall cease to be British subjects and shall become aliens.

2. (1) For the purpose of Section 2 of the principal Act a period spent in the service of the Crown may be reckoned as residence in the United Kingdom.

(2) (i) In Subsection (1) (b) of Section 1 of the principal Act the words "or became a British subject by reason of any annexation of territory" shall be inserted, and be deemed always to have been inserted, after the words "had been granted."

(ii) In Subsection (1) of Section 27 of the principal Act the expression "British subject" shall include, and be deemed to have always included, any person who by reason of any annexation of territory has become a subject of His Majesty.

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(3) In the proviso to Subsection (1) of Section 8 of the principal Act the words "and any proposal to revoke or to concur in the revocation of any certificate" shall be inserted after the words "to be granted."

(4) The following subsection shall be, and be deemed always to have been, substituted for Subsection 2 of Section 27 of the principal Act:—

"Where in pursuance of this Act the name of a child is included in a certificate of naturalization granted to his parent, or where in pursuance of any Act repealed by this Act any child has been deemed to be a naturalized British subject by reason of residence with his parent, such child shall for the purposes of this Act be deemed to be a person to whom a certificate of naturalization has been granted."

3. (1) This Act may be cited as the British Nationality and Status of Aliens (Amendment) Act, 1917, and shall be construed as one with the British Nationality and Status of Aliens Act, 1914, and that Act and this Act shall be cited together as the British Nationality and Status of Aliens Acts, 1914 and 1917.

(2) Copies of the principal Act printed after the passing of this Act, under the authority of His Majesty's Stationery Office, may be printed so as to show the principal Act as amended by this Act.

Home Office,

March, 1917.

## APPENDIX II.

### MINOR AMENDMENTS OF THE BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Two years' experience has shown that certain minor amendments, largely of a drafting character, in the Act of 1914 are desirable, and if it is decided to amend the Act at all, as by giving a further power to revoke certificates, advantage might be taken of the opportunity to remedy these slight defects.

The Imperial Conference will probably not wish to be burdened with the details.

The amendments proposed and embodied in the draft Bill are as follows:—

(1) Section 2 should be amended so as to allow time spent in the service of the Crown to be reckoned as equivalent to residence in British dominions. At present many aliens have been serving the Crown in France and elsewhere, and their service ought fairly to count with their residence to make up their qualification; this is specially urgent in reference to the condition as to residence in the United Kingdom for twelve months immediately preceding application. The existing rule has prevented the Home Secretary from naturalizing several desirable applicants.

(2) The definition of "British subject" in Section 27 (1) needs amendment so as to cover the case of a person who acquires British nationality by annexation. Possibly a similar amendment should be made in Section 1 (1) (b).

(3) An amendment of the proviso to Subsection (1) of Section 8 appears to be desirable, in order to make it clear that any proposal to revoke or to concur in the revocation of a certificate under the provisions in Clause 1 of the draft Bill must, in the case of a British Possession other than British India or a Self-governing Dominion, be submitted by the Governor to the Secretary of State for his approval.

(4) Section 27 (2) needs amendment so as to include the case of a person who becomes a British subject under the provisions of Section 10 of the Naturalization Act, 1870, by residence with his parents in the United Kingdom.

Home Office,

Whitehall,

March, 1917.

## APPENDIX III.

### REFUSAL OF CERTIFICATES OF NATURALIZATION TO SUBJECTS OF THE ENEMY POWERS DURING SOME PERIOD AFTER THE TERMINATION OF THE WAR, AND SPECIAL MEASURES TO MEET THE SITUATION CREATED BY THE DELBRUCK LAW.

1. THESE questions have been considered by the Aliens Sub-Committee of the Reconstruction Committee. As to the grant of certificates of naturalization to Germans, their recommendation (with which the Home Office agrees) is to the



effect that "the practice which has been adopted in the Home Office since the outbreak of war of refusing naturalization to persons of German nationality might properly be continued (without any amendment of the law) for a period which might be fixed as five years after the return of peace. The Secretary of State would, however, retain his statutory power to grant certificates in a few exceptional cases, the most numerous of which would be those of widows of British origin who had married Germans, but which would also include cases such as those of men who, or whose sons, had voluntarily enlisted in the British forces. After the expiration of that period of five years, the whole matter should be reconsidered in the light of current events. It might then be found desirable to establish some such rule of administration as that German subjects should not be naturalized in this country unless they had been absent from Germany for some considerable period, say, twenty years, or such other measures, whether legislative or administrative, could be taken as the situation might appear to require.

2. It would certainly be convenient if the practice as to the grant of certificates to Germans could be made uniform, at any rate, in its general lines, throughout the Empire, though in individual cases each authority must be unfettered in its discretion, and it will doubtless be found that exceptions may be made in certain cases especially of opponents of, or refugees from, the Prussian system. For this uniformity, as already explained, administrative action on agreed lines is sufficient; legislation is not required.

3. The question of the grant of naturalization to subjects of Austria-Hungary, Turkey, and Bulgaria is of less importance, and can hardly be settled by the application of any general rule. All the States concerned, and specially Turkey and Austria-Hungary, include subject races the members of which have a special claim on our generosity; there appears to be no reason to suggest that any uniform rule should be laid down for the Empire applicable to the case of subjects of these States.

4. If the uniform administrative policy suggested as to the grant of certificates of naturalization to Germans be adopted, the question of any measures to be taken to meet the situation created by the Delbruck law has little immediate importance.

The observations of the Aliens Sub-Committee of the Reconstruction Committee and their conclusions (with which the Home Office agrees) may, however, be submitted for the information of the Imperial Conference. They are as follows:—

"The German Nationality Law of 1913 (the Delbruck law) makes the acquisition of a foreign nationality one of the causes of the loss of German nationality, but provides at the same time that, if the person naturalized abroad has before naturalization applied for and received the written permission of the competent authorities of his home State to retain his nationality, then his German nationality is not lost. The law also provides that a former German, even if he has not returned to Germany, may be granted direct Imperial nationality.

"In our view it would be impracticable at the present time to enact that no person is to be naturalized in the British Empire who retains foreign nationality. The effect of such an enactment would be to prohibit the naturalization of subjects of Russia, Turkey, and of some other States, and would not in itself prevent the naturalization of Germans. It is true that a new law might be so drafted as to prohibit the naturalization of a subject of any State whose statute law permitted him to obtain authority to preserve his original nationality at the same time that he acquired a new nationality, and a Bill recently introduced by the French Government into the Senate . . . . . actually proposes to amend the French code in these terms. But if the exclusion of Germans is to be made statutory, it would be simpler to do so by an enactment in which they were expressly named rather than by a provision which makes their exclusion contingent upon the continuance of the Delbruck law in its present form.

"If, however, the object desired is only to exclude from British nationality in the British Empire such Germans as are found to retain German nationality, this could be effected by a modification of our administrative practice without any fresh enactment. If every German applicant for naturalization is compelled to include in his memorial a statement that he has not applied for, or received, and does not intend to apply for, the permission of the authorities of his home State to retain his nationality, then a certificate granted to any such person who does in fact obtain that written permission will have been obtained by false representation, and can at any time be revoked under Section 7 of the Act of 1914.



"German nationality, as already explained, is retained under the Delbruck law only if before the naturalization abroad the necessary permission to retain has been obtained from the German authorities, and so if an applicant states, when presenting his memorial, that his intention is not to apply for the permission, and in the brief interval before the grant of the certificate does in fact so apply, it will be easy to conclude that his intention was not in fact what he stated it to be, and that the certificate has been obtained by false representation.

"The chance that any person so naturalized would afterwards receive a direct grant of Imperial German nationality while residing in the British Empire appears to us to be remote. That one European State should attempt to exercise sovereignty in the territory of another by a grant of nationality to a person not in its own service would be contrary to international usage, and the attempt is the less likely to be made inasmuch as it would bring no advantage to the naturalizing Power. Such a grant of nationality would not affect the status of the grantee in the British Empire. If it were made openly it would attract at once the attention of the authorities and the case could be dealt with, either under Section 7 of the Act of 1914 (if the circumstances were such as to show that a false representation had been made on the grant of the certificate), or under the measures for revocation proposed in a later portion of this report. On the other hand, if the proceeding were secret, it is hard to conceive what possible advantage could be gained by it: the position of a secret agent would be in no way improved by a surreptitious action, which, if discovered, would at once draw down suspicion.

"If, on the other hand, a person of German origin naturalized in the British Empire returns to Germany and is there renaturalized as a German, he thereby loses his acquired British nationality, and no case of double nationality arises."

The Sub-Committee summarized their conclusion on these points as follows:—

"(1) The question of double nationality, so far as it affects German applicants for naturalization and the general question of the naturalization of Germans, can be dealt with effectually for the immediate future by administrative action without any amendment of the existing law.

"(2) In order to avoid double nationality by naturalized persons of German origin, German applicants should, when their cases are dealt with, be required to make an express declaration to the effect that they have not obtained, and do not intend to apply for, permission to retain their original nationality under the Delbruck law.

"(3) The present practice of not admitting Germans should be continued for a period of five years after the conclusion of peace, and after that period the whole matter should be reconsidered."

Home Office,  
March, 1917.

## VII.

### Income Tax—United Kingdom and Dominions.

*(Memorandum by the Board of Inland Revenue.)*

*[See discussion reported at pages 70-80 and 95-109.]*

1. THE existence within the boundaries of the British Empire of several distinct income taxes imposed by the various Legislatures involves problems which have been discussed at previous Colonial and Imperial Conferences.\*

\*COLONIAL CONFERENCE, 1907.—Minutes of proceedings of the Colonial Conference, 1907 [Cd. 3523], pages 183-190 and 196-198. Papers laid before the Colonial Conference, 1907 [Cd. 3524], pages 161-167.

IMPERIAL CONFERENCE.—Correspondence relating to the Imperial Conference, 1911 [Cd. 5513], pages 7 and 13 (List of subjects for discussion transmitted by the Governor of New Zealand and Governor-General of South Africa). Précis of the proceedings [Cd. 5741], pages 68 and 69. Minutes of proceedings [Cd. 5745], page 187 and pages 358-364. Papers laid before the Conference [Cd. 5746-1], page 266.



2. In the United Kingdom—where an income tax has been made the mainstay of the revenue—the system adopted from the outset has been based (broadly speaking) upon the twofold principle of charging (a) income enjoyed by residents in the United Kingdom wherever it arises, and (b) income arising in the United Kingdom.

The Dominions, on the other hand, very generally confine the scope of their income taxes to incomes arising within their own boundaries.

3. It follows that persons resident\* in the United Kingdom who derive part of their income from a Dominion may have to pay income tax on that part of their income to the Exchequers both of the Dominion and of the United Kingdom.

4. The only alternative is for one or other (or each) of the Exchequers concerned, to face a loss of revenue.

On what principle, then, should the claims of the respective Exchequers be adjusted? Is the main test to be residence of recipient or source of income? Or is each Exchequer, whilst retaining its own tests, to sacrifice an arbitrary proportion of the tax which would normally be collected?

5. It will be evident that a permanent settlement of the problem presupposes careful examination into principle—failing which it would be quite impossible to determine what form of compromise is least inconsistent with (a) the efficiency of an income tax and (b) the role attributed to an income tax in the fiscal system of a country.

6. In the case of the United Kingdom income tax, such an examination into principle was on the point of being undertaken by a Committee of Inquiry into the incidence of the Income Tax.† War, however, broke out, and the promised investigation had necessarily to be postponed until the end of the War.

7. The very circumstance which made it impossible to proceed at once with a scientific inquiry into the income tax, tended in itself to accentuate the various problems for the settlement of which such a preliminary examination was essential.

This accentuation was felt by the late Government to justify some action in regard to the subject matter of the present note; and accordingly it was decided that—"as a temporary measure, and without prejudice to future consideration of the relative claims of the Exchequers of the United Kingdom and of the Dominions"‡—the increase of 1s. 6d. in the £ proposed for 1916-17 in the rate of United Kingdom income tax (i.e., from 3s. 6d. in the £ to 5s. in the £) should not apply in so far as a person pays income tax on the same income both here and in a Dominion.§

8. The arrangement was necessarily devoid of principle, and was admittedly intended as a mere stop-gap measure. But throughout the Budget debates of 1916|| the Government proceeded on the view that, although examination into principle—the indispensable preliminary to any permanent settlement—could not be undertaken during the continuance of the War, the matter should receive urgent attention on the restoration of peace.

Somerset House,

2nd April, 1917.

\* The expression "person resident in the United Kingdom"—in addition to its ordinary significance—includes a company whose seat of management is in the United Kingdom and whose operations are controlled here. The whole business profits of such a company are chargeable with United Kingdom income tax, notwithstanding that the transactions from which those profits are immediately derived may be carried on outside the United Kingdom.

† See statements in the House of Commons by Mr. Asquith on 25th June, 1914 ("Parliamentary Debates," Vol. LXIII., column 2053), and by Mr. Lloyd George on 21st July, 1914 ("Parliamentary Debates," Vol. LXV., columns 386, 387, 388, 389).

‡ Financial statement (1916-17), House of Commons Paper No. 50, 4th April, 1916.

§ See Section 43 of the Finance Act, 1916, which provides that, where a person who has paid United Kingdom income tax at a rate exceeding 3s. 6d. in the £ has also paid any Colonial income tax in respect of the same income, he shall be repaid—in whole or in part—the United Kingdom income tax in excess of 3s. 6d. in the £. Thus, if the normal rate of United Kingdom income tax is 5s. in the £ and the Colonial rate be 2s. 6d., he ultimately pays 3s. 6d. here; with a Colonial rate of 1s. 6d., again he pays 3s. 6d. here; if the Colonial rate be 6d., he pays 4s. 6d. here.

|| See "Parliamentary Debates," Vol. LXXXI., column 1057; Vol. LXXXIII., columns 405, 425, 426.



## VIII.

## Letter from the Director-General of the National War Museum.

[See page 114.]

National War Museum,

His Majesty's Office of Works, Storey's Gate,

Westminster, S.W.1, 12th April, 1917.

Sir,

THE enclosed leaflet is being widely circulated throughout the Navy and the Army. I am instructed by the National War Museum to ask that the attention of the Governors of the Dominions and Colonies in all parts of the British Empire may be called to it, and that it may be sent to them with a covering letter pointing out as follows:—

1. That the National War Museum will be very incomplete if it does not illustrate both by documents and material exhibits the war activities of all parts of the British Empire as well as of British subjects resident in foreign countries.
2. That enemy propaganda has been a very widespread phenomenon, and that the evidences of it from all parts of the world will form an important contribution towards the material to be handled by future historians.
3. That files of important or characteristic journals covering the period of the War will be a valuable contribution to the museum library, as well as all books, pamphlets, and other publications dealing with the War, or with economic or other conditions arising out of it.
4. That illustrative photographic material will be very acceptable.
5. That a branch of the museum is to be devoted to the work of women for the War.
6. That the formation of local committees in as many centres as possible to co-operate with the museum authorities may be a good way to further this patriotic movement.

I am, &amp;c.,

MARTIN CONWAY,

Director-General, National War Museum.

To the Secretary of State  
for the Colonies,  
Downing Street.

## Enclosure in VIII.

## NATIONAL WAR MUSEUM.

THE War Cabinet has accepted the proposal of Sir Alfred Mond (First Commissioner of Works), to establish a museum in London commemorative of the War. The needful preliminary steps having been taken and a nucleus organization set up, it is necessary to obtain the co-operation of every member of the fighting forces of both services at the earliest possible moment. Only by such co-operation can the desired result be attained. His Majesty the King has been pleased to express his sympathy with the proposed war museum, and he trusts that it may be made thoroughly representative of the achievements of all units engaged in the War, both in the combatant and non-combatant services.

The museum, beside in the first instance illustrating as fully as possible the operations of the Navy all over the world and of the Army on all the fronts, will be so arranged as to set forth the activities and accomplishments of the several units, and special attention will be paid to the record of ships and regiments. There will be sections devoted to the forces of each of the Dominions. There will also be a section illustrative of women's work.

By private and public initiative similar enterprizes have been set on foot in Allied and in Enemy Countries. It is not desirable that the historian of the future should have to go abroad to pursue his studies in German museums through lack of material provided at home. The length of time that has already passed since the beginning of the War and the consequent transfer into private hands of countless memorials of priceless value for the future, render the generous co-operation of such



owners essential. This is specially true in respect of documents of all kinds. Life on shipboard and in the trenches produces a transient literature and art of its own. The museum should possess all the ship and trench magazines, journals, poems, popular songs, characteristic private letters, writings, sketches, caricatures, maps, and so forth. The Admiralty, the War Office, and the Ministry of Munitions will deposit in the museum the large mass of official exhibits, but such an assemblage will be a dead accumulation unless it is vitalized by contributions expressive of the action, the experiences, the valour, and the endurance of individuals. The brave men who have performed heroic deeds, and too often laid down their lives for their country in the performance, must be commemorated by their portraits. The photographic record of persons and places must be as complete as possible.

Much that would have been of great value to the national collection is already destroyed; more is in imminent peril of destruction. A general co-operation is needed to preserve everything that can be saved. Models of particular parts of the front are made to serve the needs of the day and cast aside when they have performed their purpose. Every one of them is wanted. Men employ their enforced leisure in making all kinds of memorials; gifts of such representative souvenirs will be valued. The light side of things should be illustrated as well as the frightful tragedy of war.

When peace returns and men are back at home, the years will pass and memory of the great days and adventures through which they lived will grow dim. It is the purpose of the museum to be a place which they can visit with their comrades, their friends, or their children, and there revive the past and behold again the great guns and other weapons with which they fought, the uniforms they wore, pictures and models of the ships and trenches and dug-outs in which weary hours were spent, or of positions which they carried and ground every yard of it memorable to them. They will then be glad to recall also the occupations of their hours of leisure. They will be able to look up the likenesses of the men they knew, some of whom, it may be, fell fighting beside them. The best possible result will be desired by all. Let all co-operate heartily and it will be attained.

MARTIN CONWAY,  
Director-General of the National War Museum.  
Temporary Offices,  
His Majesty's Office of Works,  
Storey's Gate,  
Westminster, S.W.1.

## IX.

### Note on Emigration from India to the Self-Governing Dominions.

[See discussion reported on pages 117-120.]

1. This question was discussed at the Imperial Conference of 1911, when the Secretary of State for India (the Marquess of Crewe) put in a memorandum, subsequently published [Cd. 5476—1 of 1911]. The only legislation of importance since then was the South Africa Immigration Act of 1913.

2. While none of the Dominions has mentioned natives of India as prohibited immigrants, the several Dominions (except Newfoundland\*) have effectually guarded themselves against an influx of Asiatics. Australia and New Zealand impose an educational test upon immigrants, while Canada and South Africa have taken power to exclude immigrants belonging to any race deemed unsuitable as residents. South Africa has issued instructions to immigration officers that Asiatics are "unsuitable"; Canada has not. In practice Canada excludes Indians by insisting that all immigrants shall have come by through ticket on continuous journey from their country of origin, a provision hitherto effective because there has been no direct steamer service. In addition, Canada insists that each Asiatic immigrant must possess £40 (\$200) (unless he belongs to a country as to which special statutory regulations are in force, or with which there is a special agreement). From an Imperial point of view, the flaw in the Canadian system is that it puts Japanese in a far better position than British Indian subjects. Japan has secured this by agreeing to limit emigration of the labouring class to Canada to four hundred a year.

\* Which has differentiated against Chinese only.



3. South Africa has, by an administrative order, absolutely shut the door to fresh immigration from India, with the important exceptions that one lawful wife (with her minor children) of any domiciled Indian who has not already a wife in South Africa has the right of entry, and that the Union Government has promised to admit by special permit as many as twelve educated Indians each year.

4. In Australia and New Zealand, Indians who do not know the English language are unable to fulfil the educational requirements of the laws. In Australia, however, an Indian who knows English perfectly can be excluded for want of knowledge of some other European language (This provision is applicable to immigrants of any race except the British.)

5. Thus all the Dominions are secured against an influx of uneducated Asiatics.

6. In each Dominion the Government has power to admit individual immigrants (who would otherwise be excluded) by permit. In Canada, apart from special permits, tourists, students, teachers, and certain other educated persons, do not come within the scope of the immigration laws. In the other Dominions they do, and their admission depends on the decision of the Minister in each individual case.

7. Each Dominion allows the return of Indians who have acquired domicile, subject to the necessary precautions to prevent personation or forgery.

8. South Africa (with a large permanent Indian population) differs from the other Dominions in allowing (subject to strict precautions) any Indian who has acquired the right of residence to bring his wife and his young children from India to take up permanent residence. In Australia and New Zealand the absence of any such provision does not appear to have caused resentment on the part of Indians, but much political capital has been made out of the matter as regards Canada. Here there are hardly any Indian women (the men having entered, unaccompanied by women, before the promulgation of the Orders in Council which in effect prevent any fresh Indian immigration). The Dominion Government does not insist upon the possession of \$200 by the wives of domiciled Indians, but the "continuous journey" provision in practice makes it impossible for the women to come. Much has been made in India of this grievance, though it is very improbable that in practice more than a dozen or so Sikhs of the labouring classes would wish to bring over their wives, especially since the Indian community in British Columbia has become so much smaller. The efforts made to do so were probably inspired by political agitators, who wished to, and did, produce cases which aroused sympathy. But the average Sikh, ready to travel all over the world to make money, does not in the least wish to be hampered by a helpless wife. Resident Japanese may introduce not only their families but domestic servants, so that the differentiation against British Indians is very marked.

9. As regards the temporary visits of Indians of good position, the various Dominion laws allow persons with good credentials to enter (in Canada, as "tourists," and elsewhere by special permits). Although educated Indians chafe at the necessity of suing for permission to enter the Dominions, while all British subjects can enter India freely, it is very difficult to make any positive suggestion. Sympathetic action on the part of immigration officers might go far to mollify the sense of grievance undoubtedly felt by educated Indians. The grievance might be more effectually remedied if each Dominion Government were to empower an agent or agents of its own, resident in India, to issue permits to visit the Dominion, to Indians with good credentials, for specified purposes. Whether such an arrangement would be practicable is a matter for consideration.

10. The Indians settled in the Dominions make complaints from time to time on various points, such as the absence of political equality with full citizens. Such matters are entirely within the discretion of the several Governments, and need not be discussed. But it is of importance to note that the biased administration of municipal regulations as to the grant of trading licences may in practice inflict more injury on individual resident Indians than do some statutes against which Indians have protested.

11. It is quite recognized that some Indians resident in the Dominions have put forward claims in the direction of requests for the Parliamentary franchise and for the recognition of non-Christian marriage systems which no Dominion Government could grant without danger to the character of its own institutions, and have thus weakened their requests for remedy of more material grievances. The argument for allowing resident Indians who possess the necessary educational



and property qualifications a vote in municipal elections—where this does not already exist—is based not only on the fact that they are taxed for municipal purposes, but on the obvious consideration that their safeguards for equitable treatment from municipal officials in such matters as the issue of licences would be enhanced by their possession of votes.

12. As regards the Parliamentary franchise; it has been argued in Natal in the past that Indians, as coming from a country that did not enjoy representative institutions, were not fitted for a Parliamentary vote. But the extension of the representative character of Legislative Councils in India has certainly modified the force of this argument, at least in its application to Indian merchants. The franchise, as regards the status of non-European races, differs considerably in the several provinces of the Union of South Africa, and in this, the only one of the Self-governing Dominions in which an Indian vote would have much political influence, the question of the admission of Indians to the Parliamentary franchise could not be entirely dissociated from very difficult questions of the political status of African natives. It does not appear to have been noticed that while anyone from the Dominions is free to enter and do business in British India, and is eligible for appointment to the Indian Services, no non-official Canadian or Australian, for instance, who takes up his residence in India acquires any voice in the government of the country, except in so far as he may happen, on account of his business, to become one of the electors for the representation of the special interests (such as Chambers of Commerce, or tea planters in Assam) in the Legislative Councils.

13. It is common ground that Indians of any class who have been allowed to acquire residential rights in the Dominions should be accorded equitable treatment. It is not yet admitted, except by South Africa, that Indian men who have acquired residential rights should be allowed to introduce women of their own race. The objection, no doubt, is that Canada, Australia, and New Zealand consider it undesirable to have a permanent Asiatic domiciled community such as exists in South Africa, though Canada, in fact, has allowed the foundation of a permanent Japanese colony. On the other hand, the constant charges of sexual immorality made against Indians, and the fears expressed as to undesirable miscegenation, show the unnatural position produced where Indians who have been allowed to acquire a domicile are not allowed to lead a normal family life.

14. The embargo against unlimited immigration of Indians of the labouring classes is understood in India, though not popular. But the provisions which, while not preventing the visits of educated Indians, put upon them the onus of proving to Dominion officials that they do not belong to prohibited classes, are undoubtedly a cause of much friction, and have helped to create in Indian political circles a very strong feeling of hostility to the Dominions. While the Government of India have always felt great difficulty about any arrangement under which they would be called upon to decide as between individual educated Indians who should be allowed to go to any Dominion, it is recognized that by making an arrangement of this kind Japan has been able to come to a settlement with Canada which puts Japanese in a privileged position.

15. To attain a settlement of these grievances it is necessary to recognize, in the first place, that they are in a great measure matters of sentiment. Indians, in their outlook upon the Empire, are at present powerfully swayed by two ideas. They are proud of the fact that they are British subjects and their country an integral portion of the Empire. They wish to claim their Imperial privileges, and they do not understand why, on the ground of race, they are unfairly excluded from large tracts of the Empire, and worse treated in some matters than Asiatics who do not belong to the Empire, while (until the passing of the new United States immigration law) they have not met with unfavourable differential treatment in the territories of foreign Powers. They are at the same time proud of their Indian nationality, of their ancient civilization, and of the great intellectual traditions which they have inherited. They are deeply moved by treatment which imputes to them ignorance or implies denial of these titles to respect. They have made sacrifices for the Empire: they have proved their loyalty, their courage, and their fortitude; and they ask that this should be recognized. Thus sentiment and imagination enter largely into the controversy. If the Dominions would make concessions which would meet feelings of this order, they would probably find that India would not be unreasonable on material points. The unrestricted opening to Indian enterprise of any territory acquired from the enemy in East Africa would, it is believed, remove



some of the bitterness which this controversy has engendered in the minds of Indian publicists and politicians by the proof it would give that in the disposal of territories accruing to the Empire as a result of the War the needs of the Indian peoples have not been overlooked.

16. With these principles in mind, it is suggested that the basis of an agreement might be sought on the following lines :—

- (1) As regards Indians already permanently settled in the Dominions they should be allowed to bring in wives (subject to the rule of monogamy) and minor children, and in other respects should not be less privileged than Japanese settled immigrants.
- (2) Future admissions of Indians for labour or settlement should, if possible, be regulated on lines similar to, and not less favourable than, those governing the admission of any other Asiatic race.
- (3) If this is not possible, there might be reciprocal treatment in India and each Dominion of immigration for purposes of labour or permanent settlement. If a Dominion is determined to exclude these two classes of immigration from India, India should be free to do the same as regards that Dominion. It would be clearly recognized that the exclusion in either case was not motivated by prejudices of race, but was the outcome of different economic conditions.
- (4) Along with such exclusion reciprocal arrangements would be made for granting full facilities for the admission of tourists, students, and the like, and for business visits entailing temporary residence, so long as this residence was not for labour purposes or for permanent settlement.

India Office,  
22nd March, 1917.

## X.

### Reply from His Majesty The King to the Address from the Imperial War Conference.

[See pages 121-122.]

I THANK you for your loyal and dutiful Address, which I profoundly appreciate. Since my Accession I have realized the sincerity of the loyal affection to my Throne and Person shared by all classes throughout the Empire, and it has afforded me special gratification to receive to-day a testimony to such feelings from you as the Representatives of my Dominions beyond the seas and of India now gathered together in the heart of the Empire.

You have met at an historic moment in our Empire's story. I am confident that the result of your deliberations will be of great and lasting advantage, not only in helping to bring the present War to a victorious conclusion, but to ensure that when peace is restored we may be found prepared for the tasks which then await us in the organization of the resources of the Empire with a view of rendering it more self-sustaining, and in strengthening the ties that knit together all parts of my dominions.

It has afforded me the utmost satisfaction that Representatives of India have been Members of your Conference with equal rights to take part in its deliberations. This meeting round a common board, and the consequent personal intercourse, will result in the increasing growth of a spirit of larger sympathy and of mutual understanding between India and the Overseas Dominions. Your present gathering is a giant stride on the road of progress and Imperial development, and I feel sure that this advance will be steadily continued.

I deeply regret that, owing to unavoidable circumstances, it has not been possible for the Commonwealth of Australia to be represented at the present Conference. But that great Dominion stands second to none in determination to do all in its power to assist in the tremendous conflict in which the Empire is engaged. I trust that, when the next Conference meets, it may be attended by representatives from all the Dominions and India.

In the midst of the present terrible struggle the magnificent contributions in men, munitions, and money made by all parts of my Empire have been a source of the greatest pride and satisfaction to me. Vast armies raised in the Dominions have taken, or are taking, the field side by side with those of the United Kingdom



to fight the common foe in the cause of justice and of those free institutions which are the very keystone of my Empire. It is fitting also that I should here specially refer to the munificent gifts of money made towards the expenses of the War by the Government, Princes, and Peoples of India. May this comradeship in the field, this community of suffering and sacrifice, draw together still closer than ever all parts of my Possessions, establishing fresh bonds of union that will endure to our mutual advantage long after the War and its horrors have passed away.

The Queen and I recall with the liveliest and happiest recollections the visits which we have been privileged to pay to the different parts of my dominions beyond the seas, thereby gaining personal knowledge of the various countries and peoples, of their resources and difficulties, and of all their varying problems and interests.

We do not forget the warm-hearted and loyal welcome given to us on those occasions, and it is with feelings of affectionate regard that I ever follow the welfare of my subjects beyond the seas. I look forward to the day when some of our children will, in their turn, have an opportunity of acquiring similar priceless experience by such visits.

I rejoice in the prospect of better means of communication which will more effectively link up the various portions of my Empire, and I trust that the days to come will see an ever increasing exchange of visits and personal intercourse between the Mother Country and the Oversea Dominions. For do not sympathy and common brotherhood help to form the surest foundations on which a State can rest?

The value of Empire lies not in its greatness and strength alone, but in the several contributions that each of its diverse parts, with their varying circumstances and conditions, makes to the one general stock of knowledge and progress.

I thank you for coming here personally to present your Address to me. May God bless and protect you all, and grant you safe return home at the conclusion of your labours.

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D Imperial War Conference,  
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I4 Extracts from minutes of  
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